New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

THE COURTS.

Eighth District Court—Decisions by Judge Dibble—The Rights of Property Holders—Judgment Touching the Sugar Refinery of Willoz & Rostand—Suits Against the Union Benevolent Society Dismissed—The Contested Recordership of the Fourth District, Etc.

In the case of Michael Muller vs. H. L. Stone and Willoz & Rostand, Judge Dibble has rendered an opinion as follows:

The plaintiff avers that he is the owner of certain property in this city, known as No. 21 Front street and No. 22 Fulton street, where he resides with his family, and where he has kept a refreshment saloon and coffee-house. He complains that in the summer or fall of 1870 H. L. Stone, an absentee, who owns the adjoining lots and buildings, known as Nos. 23 and 25 Front street and Nos. 24 and 26 Fulton street, leased his property to Willoz & Rostand, a commercial firm in this city, made defendants herein; that the lease permitted and the said firm established in said building a sugar refinery, in which is used a powerful steam engine and boilers. The plaintiff charges that the operation of this steam engines shakes his (plaintiff's) house to the foundation, injures his walls, fills his premises with noises and vapors, and renders the place uninhabitable as a residence and unfit for the business which he pursues.

He specifies that these noises and shakings have frightened his family, rendered some of them sick and compelled him to remove to another building. He avers the apprehension that his building may be thrown down, and charges that the boiler, engine and machinery in the premises of said defendants are a nuisance, especially injurious to the plaintiff and his property, and should be abated. He claims that he has sustained damages to the amount of ten thousand dollars, for which he prays. He asks that the defendants be enjoined from operating their steam engines in the building adjoining his own, which in any manner shake the buildings of plaintiff, or annoy him or his family.

Catherine, William and Mary Muller intervene, claiming to be joint owners of one undivided half of the property occupied by the plaintiff. They adopt the allegations of his petition and join in his prayer.

Willoz & Rostand answer and admit that they occupy the building aforesaid as a sugar refinery as charged by the plaintiff. They represent that they pay licenses to the city and State; that on July 26, 1870, the Council of New Orleans granted them permission to erect and operate a steam engine, as they now do. They further represent that, December 29, 1870, the Administrator of Commerce of New Orleans directed a survey of the premises, which was made by the City Surveyor, who reported that the engine could be run without the slightest vibration; that the walls were strong and secure. They represent that the Council adopted reports made accordingly, and continued the privilege of respondents as originally granted. They annex to their answer the resolution of the Council granting them permission as aforesaid, and the report of the Surveyor. They asked that plaintiff's demand be rejected, and that the city of New Orleans be called in warranty and that if any judgment should be rendered against them, that they should have judgment over against the city.

The defendant, Stone, filed a general denial, adopted the answer of the other respondents, and joined them in their call in warranty.

The city of New Orleans filed an exception, that no cause of action was disclosed against the corporation. This exception was never fixed, but it was agreed that it should be considered on answer and disposed of upon the merits. It seems clear that the exception is well taken. "The acts of the city were simply permissive—an authority given in the exercise of her police power, to do certain acts, without which authority the acts would have been unlawful." The city can in no way be held responsible for the way in which such a privilege is exercised by the grantee.

The evidence establishes the allegations of the petition, notwithstanding the report of the City Surveyor, whose examination was, perhaps, made hastily. It appears that the running of the engines and other machinery connected with the sugar refinery had all the effects charged. The walls of the plaintiff's building were shaken, and his house was made untenable, and, to a considerable extent, his business was broken up. Indeed, when the case was submitted, it was agreed between the counsel that the suit must turn almost entirely upon points of law.

The defendants urge that, when a municipal authority grants a permission, such as is given in this case, the owner of the adjoining property can not complain that the engine and other works permitted are a nuisance. Defendants' counsel cited several cases, which, he understands, go to this effect. But it seems to me the authorities run the other way; they are numerous, and the doctrine seems to be that declared by the Supreme Court of New York in the case of Fish vs. Dodge, fourth Denio, 311. "If one carry on a lawful calling in such a manner sa to prove a nuisance to his neighbor, he is answerable for damages. Therefore, when one carries on a business in the compact part of the city whereby the occupant of the adjoining dwelling is annoyed by the noise and dust, such occupant may maintain an action on the case, and the person complained of may be held to answer for the nuisance." See eighth Gray, 195. The Supreme Court of Massachusetts in this call said: "The engine may, in consequence of its construction, location or employment, become a public or private nuisance, even if its proprietor violates none of the special or positive provisions of the statutes of the commonwealth."

The cases from 4 Comstock 195, and 18 Barber 222, cited by the defendant, turns upon other principles. A private citizen may not complain that a thing is a nuisance which is being constructed in a public highway and for the public benefit.

It is clear, therefore, that the plaintiff is entitled to relief. I am not at all satisfied from the evidence as to the amount of damages which he should recover; the evidence is loose, and I am unable to estimate it.

Indeed it is a matter that properly ought to have been submitted to a jury. Where I have such a doubt I believe it proper to nonsuit the plaintiff in his money claim.

A judgment will be entered granting the injunction prayed for and nonsuiting the plaintiff's claim for damages.

If a motion is made for a new trial it would be granted, and the question of damages submitted to a jury.

In two suits brought by Ed. Thompson and Save Williams et als. vs. the Union Benevolent Society No. 4, Judge Dibble this morning rendered a decision, ordering the suits to be dismissed with costs. We subjoin the reasons for judgment:

The plaintiffs in these cases sued for the dissolution of the society made, defendants claiming that they had been deprived of their rights therein, and that they were entitled to have its affairs wound up and its property divided. The action was dismissed, upon the ground that as expelled members of a corporation they could not sue for its dissolution; that if they had any right of action to wind up the corporation, they must first establish their right to membership therein by the writ of mandamus.

A motion for a new trial was made, and a new trial was granted upon the obligation of plaintiffs that the society made defendant was not incorporated, and that, therefore, rule could not be applied against them. A re-examination of the case shows that there was a former unincorporated society; that they afterward caused themselves to be incorporated, and were so incorporated when this suit was tried. The property which the plaintiffs claim that they are entitled to have divided is possessed by the incorporated society. If they are simply some incorporated society the wrong defendants are before the court; if not, the suit must be dismissed for the reasons originally assigned. In whatever dilemma the plaintiffs have no standing in court.

It is therefore ordered that the suits be dismissed with costs.

The rule on the Attorney General to show cause why a mandamus should not issue to compel him to bring suit under the "intrusion act," in the name of the State, against A. E. Billings, the alleged usurper of the office of Recorder of the Fourth District, is fixed in the Eighth District Court for Monday next. Our readers will remember that Recorder Weber denies having resigned, and claims to be still the legal Recorder, and the rule is taken by him to compel the Attorney General to sue, the section of 1870 making it his express duty in such cases to proceed in "the name of the State" against usurpation or intrusion in office.

The case of Mehle & Co. vs. the Slaughter-house company, praying for a writ of injunction to restrain the company from removing its business to this side of the river, has been discontinued.

Fourth District Court.

Before a jury in this court was tried the case of Bridget Keernan vs. the Canal and Claiborne Streets Railroad Company, in which plaintiff claimed $20,000 as damages for the death of her child, aged twenty months, alleged to have been caused by having been run over by car No. 17 of said company, in August, 1869. The jury, after deliberating an hour, returned a verdict decreeing plaintiff to recover $500.

United States Circuit Court—Hon. J. P. Bradley, Associate Justice of the Supreme Court, Presiding.

In the case of Joseph Fuentes vs. Myra Clark Gaines, the rule for an injunction was dismissed with costs.

In the case of Myra Clark Gaines vs. Agnelly et al, upon a proper showing, it was ordered and decreed that the decree *pro confesso* herein entered, Henry Peychaud be allowed to file his disclaimer, as having no interest in the suit.

In two other cases, having the same parties as complainant and defendant, the time for filing answers was extended to the first Monday of December, next.

In the case of Charles Morgan vs. James Graham, et. als., it was ordered that an injunction be refused, and that complainant's bill be dismissed with costs.

In the case of E. M. Schmidt vs. S. W. Semmes, et al, the demurrer was sustained and the bill dismissed. This suit was one of great importance, as it involved the title to a large portion of the land upon which the town of Houston, Texas, is located.

Bill for Injunction.

Fuentes vs. Gaines—This is a bill for injunction to stay proceedings in this court.

I have been unable to find any precedent for such a bill, and I can not see the necessity for it. If any circumstances exist which render it improper or inequitable to carry on proceedings in this court, they can always be brought to the notice of the court by motion or petition in the suit, or may be pleaded in bar or abatement. A formal bill for such a purpose seems to me to be needless litigation, and I shall direct the bill as such to be dismissed, but allow it to stand as a petition in the several suits sought to be suspended, not requiring the complainant to file any formal answer or other pleading thereto.

Supposing the matter to be properly brought before the court on petition and motion thereon, the question arises whether the proceedings in this court ought to be staid, pending the suit brought in the Second District Court of the parish of Orleans for the revocation of the will of Daniel Clark.

The solution of this question depends upon that of a prior one: whether the defendants in the cases pending in this court are entitled further to litigate the will of Daniel Clark, on which the complainant's claim is based.

From an examination of the law of Louisiana, I am satisfied that the probate of a will is not conclusive against parties in possession of property which is sought to be recovered from them by virtue of it, unless they were parties litigant in the probate proceedings. It may be, and probably is, prima facie evidence of the validity of the will, but it does not prevent the defendants from showing the will to be invalid. 10 Martin, 1; 11 Louis. 389, 390; 17 Lou. 4; 1 Rob. 115; 10 Rob. 193; 2 Ann. 724; 4 Ann. 570; 11 Ann. 124, 131, 135; 13 Ann. 137, 138; 15 Ann. 137. This is analogous to the rule which prevails in England, and in several States of this country, as to wills of real estate. In this State it seems to apply to wills of all kinds of property.

While this is the general rule, I do not mean to decide any subsidiary question which may arise in these cases—such as whether the defendants are prescribed by lapse of time to contest the will or the probate thereof. Such questions will be properly decided when they arise in each case. But being satisfied that the general rights of the defendants are such as I have stated, the next inquiry is, in what manner shall they be allowed to raise the issue?

If it were a new question I should unhesitatingly say that they could raise it in this court and could either require a decision upon it from the court itself, as upon one of the necessary questions in the cause or upon a separate issue of devisavit vel non. If the defendants are not concluded by the probate, I see no reason why they can not contest the validity of the will in these suits. It was never supposed that the validity of a will of real estate could not be questioned in a chancery suit, where it was set up as a ground of recovery or defense. It is true that the court has refused to entertain a suit for setting aside a will on the ground of its having been obtained by fraud. But in all other cases the well known issue of devisavit vel non shows that the court has entertained jurisdiction of the validity of wills of land from time immemorial, whenever the question has properly arisen in an equity suit. If it has not entertained like jurisdiction with regard to wills of personality it has been because wills of personality probate themselves in the ecclesiastical courts of England and in the probate courts of the other States, has always been deemed conclusive upon all persons.

In the case of Gaines vs. Relf, Chew et als., 2 How., 650, the court seems to consider that there would be no difficulty in testing in this court the will of 1811 by an issue of devisavit vel non; and from a careful examination of the opinion of the Supreme Court in the case of Gaines vs. Hennen, 24 How., 523, I am satisfied that the court regarded the validity of the will of 1813 as open to contestation in the Circuit Court. It was expressly conceded that the admission of the will to probate did not exclude any one who might desire to contest the will with Mrs. Gaines from doing it in a direct proceeding, or from using any means of defense by way of answer or exception, whenever she should use the probate as a muniment of title. The court moreover says: "And the probate does not conclude Relf and Chew, or any other parties having an interest to do so, to oppose the will when it shall be set up against them by such defenses as the law will permit in like cases. It was with those qualifications of the probate of the will of 1813 that the case was tried in the court below, and they have been constantly in our minds in the trial of the appeal here;" p. 558.

The court then says: "It is due to the merits of the controversy to advert to the decisions of the Probate Court of the Second District of New Orleans, and to that of the Supreme Court, reversing it more minutely than has been done, especially, too, as they are coincident with our conclusions upon the testimony regarding the execution by Mr. Clark of his olographic will of 1813, and of the concealment or destruction of it after his death." It thus appears that the court was prepared to examine the question of the validity of the will on its merits, had it been directly attacked, and had the question been directly raised in the pleadings. But it was not so raised in that case, nor in the subsequent case of Gaines vs. the city of New Orleans. 6 Wallace, 642. In these cases the defendants contented themselves with contending that the probate was null and void, because the probate of the prior will of 1811 had not been directly revoked. This point being ruled against them, the will of 1813 stood unassailed upon the probate awarded by the Supreme Court of Louisiana, which was regarded as conclusive until the contrary should be shown. It is true that in the case of Gaines vs. New leans (6 Wallace, 703), it is said: "When a will is duly probated by a State court of competent jurisdiction, that probate is conclusive of the validity and contents of the will in this court."

But it was not necessary to decide this point in that case, and while the remark is strictly true with regard to wills of personalty in nearly every State in the Union, it is true with regard to wills of realty in many States; and I do not suppose it to be true with regard to wills of either realty or personalty in Louisiana. If the State courts are not bound by the probate, I do not see why the United States courts should be bound thereby. I am referred to the opinion of this court delivered in May term, 1870, upon an application of Mrs. Gaines to remove into this court proceedings instituted in the Second District Court for the parish of Orleans, by Fuentes and others, for the revocation of the probate of the will of 1813. We then held that we had not probate jurisdiction and could not entertain the questions which were raised in that case.

Such is still my opinion. But that is where the direct object of the proceeding it the granting or revocation of probate; nowhen the validity of the will comes up incidentally on a question of property. The probate of the will is granted for the purpose of administering the estate of the deceased, and confers authority upon the executor to do all things necessary to that end.

But if the executor or any other person claims, by virtue of the will, property in the possession of a third person, who was not a party to the probate proceedings, and who claimed by a title adverse to the will, such third person is not concluded as to its validity by the probate.

Such I understand to be the laws of Louisiana, and when the validity of the will is brought in question in this incidental way it is open for investigation in any court in which the title of the property may be litigated, whether a State court or a court of the United States.

If, then, the defendants are not concluded by the probate of 1856, but have still the right, unless barred by prescription, waiver, estoppel or some other supervening cause, to contest the will under which the complainant claims, they ought in some way to have the benefit of the right. The United States courts, in attempting to admin'ster State laws, must do so fairly, so as to secure to suitors all their just rights under those laws, otherwise they might be the means of much injustice and oppression.

We then come back to the question whether proceedings ought to be stayed in this court in the several cases referred to until the defendants can bring to a termination the proceeding instituted by them in the Second District Court of New Orleans for a revocation of the probate granted in 1856—of course the application can not be entertained in reference to the cases that have gone to a decree. They must be regarded as concluded. It can only be entertained in reference to those cases which are still undetermined, none of which, as I understand it, are now at issue.

Answers are yet to be filed therein.

In view of the considerations which I have before stated, it is competent for the defendants to contest the validity of the will, either by answer in these cases or by proceedings for a revocation of the probate in the parish court, or in both of the methods. Under these circumstances stay of proceedings in this court is a matter entirely in discretion of the court. Had the defendants promptly resorted to the district court for redress, I should have felt it my duty to suspend proceedings here until they could have had a fair opportunity to get the decision of the parish court. But as the Supreme Court remarks in Gaines vs. New Orleans, 6 Wall, 703, the probate has been allowed to rest now for twelve years (now fifteen years), and it seems to me unreasonable to tie the hands of the complainant. I think I am bound to allow the causes to proceed if the complainant shall so elect; and if the defendants are successful in procuring a revocation of the probate in the parish court before the closing of testimony in this court, they will then have the benefit of it; otherwise they must depend on a contestation of the will in the causes pending here.

The application is refused.

Romantic Marriage.

We copy the following from the Bryan, Texas, *Eagle:*

A marriage occurred in this vicinity last week which savors somewhat of romance. A young man of comely appearance and tender emotions, who lives in the bottom, was smitten with the charms of a maiden fair who resides in the same locality, and who reciprocated most heartily the tender feelings possessed by the aforesaid young man. As a natural consequence they determined to share the trials and happiness of their future lives jointly, and vowed their two hearts should beat as one. With this determination in view, the young man sought an interview with the "stern parient" of the lovely damsel, and laid before him the cherished plans of his heart. The old gentleman listened patiently to the plea of his would-be son-in-law, and then, with the coolness that would have been refreshing during the heated season to any but an enamored lover, he informed the young man that he did not consider the latter's finances of a sufficient standard to warrant the coveted relationship, and bade him cherish no longer such hopeless ideas. The daughter was then informed that her lover had been discarded, and was instructed to blot his image from her heart. This, as an obedient child, she proceeded to do, by writing a letter and placing it in her father's hand for delivery to her lover, announcing that she had discarded him. The young man, upon the receipt of the letter and its perusal, placed a different construction upon the language from what the old gentleman did, and proceeded to procure two marriage licenses—one from the district clerk of Burleson county, and one from the district clerk of this county. Procuring the services of a justice of the peace, the young couple resorted clandestinely to the Brazos river, where a boat awaited them, which they entered, together with the officer, and pushing to the centre of the stream, they were united in the holy bonds of wedlock.

Since the following article comes to us marked in the Bay St. Louis *Gazette*, it is reproduced to show how country editors enjoy natural scenery:

We exchange with many papers in many States, North as well as South. Do any of our confreres have any idea what kind of an office it is where the little Bay St. Louis *Gazette* is printed? To those unfortunate brethren of the press who get out their interesting periodicals in the dust and smoke of stifling, murky cities, where naught but piles of glaring brickwork can be seen, and scarcely a breath of fresh air can penetrate, we will try to describe our office.

Imagine a bold bluff overlooking a bright and sparkling summer sea. Close to the water's edge, a stone's throw distant only, stands our humble brick cottage—our sanctum and office—in a grove of oranges and magnolias. While we pen these lines, the odor of magnolia flowers is wafted in through door and window on the wings of the Southern breeze, till our senses almost swim with the delicious aroma. The great white blooms are almost garish in their alabaster magnificence. Pomegranates are flushing their rosy fruit through their bright green foliage.

And before us, far to the south, the regions of sun and romance, is the great Mexican sea; its bosom heaving with the waves that have laved but a few hours before the tropical strands of Cuba and Porto Rico.

The swift-winged gull and the cumbersome pelican circle around the drowsy billows but a few hundred yards from us, and shrill their discordant cry of joy, whenever they have darted into the water and brought out a scaly victim.

To the southeast looms up an island, dim and mysterious, like one of the *islas encantadas* that the old Spanish sailors tell us of.

We have our doors and windows always open. The balmy breeze careers through our office at all hours; it blows our papers about, and plays mad pranks generally. We do not mind it much, however; what printer, what editor would complain of too much sea-breeze in his sanctum on the romantic beach of the golden sea, embowered in oranges and magnolias, and the dancing waves keeping time to the fabled music of Pascagoula?

Woman was toasted in the following style at the recent anniversary meeting of the Richmond Light Infantry Blues: "Woman—Pure as a snowflake as it falls upon the cold peaks of the Bactian Alps; beautiful as the houri that bathes herself in the crystal fountains of the Moslem paradise; graceful as the peri afloat on her shell skiff over the calm waters of the dark blue sea; vain, worse than vain, the warning to guard the heart when intellect flashes from her bright eye, and the light of the soul is breathed like music upon her face."

LAWS OF THE UNITED STATES.

Passed at the Third Session of the Forty-First Congress.

[GENERAL NATURE—No. 36.]

AN ACT to establish certain post roads.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads:

ALABAMA.

From Battle's Wharf to Danby's Mills.
From Andalusia to Euchawocha.
From Thomas Station to Midway.
From Aurora to Village Springs.
From Clarke's Mills to Bostick Mills.
From Fredonia to Newsight.
From New Hope to Paint Rock Station.
From Rutledge to Elba.
From Demopolis, via Falkland and Burton's Hill, to Haysville.
From Ashville, St. Clair county, to Hollman's Station on Alabama and Chattanooga Railroad.
Foom Springville to Aurora.
From Springville to Blountsville.

ARKANSAS.

From Fort Arbuckle to Fort Sill.
From Des Arc to Searcy.
From Rondo to Mooningsfort, in Louisiana.
From Clarkesvile to Mount Ephraim.
From Minneola to Boggy Depot.
From Eunice to Camden.
From Rocky Comfort, via Wheelock, Daksville, Goodland, Armstrong, Academy, to Boggy Depot, in the Choctaw Nation.
From Dallas, via Kiahmichia and Doaksville, to Clarksville Ferry, in Choctaw Nation.
From Rocky Comfort, via Simpson's Ferry, Nettee Box, to Cove.
From Burrowville to Rolling Prairie, Missouri.
From Jonesboro to Crowley.
From Fayetteville, via Bloomington, to Washburn, in Missouri.
From Eunice to Fulton, via Monticello and Camden.
From Princeton to Arkadelphia.

CALIFORNIA.

From Sierraville to Downiesville.
From Colusa to Newville.
From Grindstone to Ingram's.
From Colusa to Lakeport.
From Hallesten to Picacho.
From Galt to Jackson.
From Virginia Ranch to Linkville.
From Chico to Big Meadows.
From San Bernardino to Anaheim.
From Trinity Centre, via Minersville, to Weaverville.
From Saucileto, via Bolinas, Woodville, to Olema.
From Yreka, via Little Shasta, (Shasta Butte postoffice), Ball's, at Butte Creek, Van Bremer's, near Hot Creek, Hot Springs Valley, Pitt River Valley, Cedarville, to Lake City.
From Modesta, via Langworth, to Knight's Ferry.
From Susanville, via Willow Creek, Eagle Lake, Hayden City, Aidenville, to Pine Creek, Goose Lake Valley.
From Susanville, via Pine Creek, Grave Valley, Fall River, to Burgettville.
From Yreka, via Ward's, Brown's, Link River, Klamath Agency, to Fort Klamath, in Oregon.
From Hornitas, via Indian Gulch, Union, Millertown, and King's River, to Visalia.

DELAWARE.

From Kirkwood to Glasgow.
From Dover to Little Creek Landing.
From Centreville to Smith's Bridge.

FLORIDA.

From Jacksonville to Saint Nicholas.
From Bluntstown to Abe's Springs.
From Micosukie to Rome.
From Live Oak to Cook's Hammock.
From Freeport to Vernon.
From Waldo to Orange Spring.
From Leesburg, via Fort Cumming, Fort Gardner, Fort Kissimmee, Fort Loyd, Fort Van Swearinger, Okeechobee, to Biscayne.
From Vanatee, via Fort Crawford, to Pine Level.
From Fort Capron, via Fort Vinton, Fort Drum, Fort Kissimmee, Lake Istipoga, Pine Level, Fort Meyers, Ponta Rasa, Caximbas Bay to Cape Romano.
From Tampa, via Lake Thonatosassa, Ichipucksapa, Fort Davenport, Apopka, to Lake Harney.
From Mellonville, via Lake Harney, Lake Poinsett, Lake Winder, to Lake Washington.
From Monticello, via Basley, Fort Andrew, Fort Hulburt, Fort Frank Brooke, Clay Landing, Wakasassa, Wekevia, Fort Clinch, Homasassa, Augusta, Spring Hill, Pittitochoscolee, to Fort Harrison.
From Jacksonville, via Callahan, to King's Ferry.
From McIntosh, via Fort Barker, Natural Bridge, to Fort Frank Brooke.
From Saint Augustine, Dumis Lake, to New Smyrna.
From Cedar Keys, via Wekevia, Ocala, Lake Bryant, Fort Butler, Volusia, Spring Garden Lake, to New Smyrna.
From Palatka, via Lake Bryant, Lake Hansom, Lake Dora, Apopka, Jernegans, Tohopekaliga, Lake Kissimmee, Fort Kissimmee, Fort Bassinger, Fort Centre, Fort Adams, to Fort Myers.
From Live Oak, via Charles Ferry, Fenahalloway, to Saint Marks.
From Iola, via Dead Lakes, Saint Josephs, to Appalachicola.
From Iola, via Aspen Grove, Econfina, Valambrosia, Euchee Anna, Alaqua, East River, to Millton.
From Marianna, via Greenwood, to Millwood.
From Milton, via Almiarante, Gentsville, to Cerro Gordo.
From Monticello, via Oscilla, Cherry Lake, to Bellville.
From Lake Washington to Fort Kissimmee.
From Tacvi to Saint Augustine.
From Taliahassee to China Hill.
From Gainesville, via Fort Fanning, Fort McCrab, to Fort Frank Brooke.

GEORGIA.

From Quitman to Dead-man's Bay, in Florida.
From McIntosh to Hinesville.
From Lumber City, via Boxville, Seward, Perry's Mills, Matlock, Beard's Creek, to Johnson's Station.
From Elberton, via Cherokee Hill, to Abbeville Courthouse, South Carolina.

ILLINOIS.

From Georgetown to Yankee Point.
From Bruceville to Streator
From Staunton to Highland.
From Rockwood to Ava.
From Tuscola to Mackville.
From Pekin to Washington.
From Salem, via Foxville, to Hickory Hill.

INDIANA.

From Hauston to Brownstown.
From Scottsville to Galena.
From Wallace to Hillsboro.
From Marion, via Pratt, to Van Buren.
From Point Isabel, via Hackleman and Shadesville, to Marion.
From Delphia, via Carrolton and Lockport, to Burnettsville.
From Thornton, via Darlington, to Crawfordsville.
From Franklin, via Oakfarm, to Elkinsville.
From Cumberland to Oaklendon.
From Metea to Twelve Mile.
From Madison, via Bryantsburg, to Barbersville, and return, via Canaen.
From Seymour to Redington.
From Saltilloville to Bono.
From Saltilloville, via Clayville, to Lavonia.

IOWA.

From Dexter to Afton.
From Linville to Pleasanton.
From Butler to Sigourney.
From Montezuma to Lynnville.
From New Sharon to Union Mills.
From New Hampton, via Alta Vista, to Bush.
From North Washington to Alta Vista.
From Dexter to Afton.

KANSAS.

From Clyde, via Concordia, Vicksburg, Jewell City, Oakland, Cawker City, Gaylord, and Cedarville, to Kirwin.
From New Scandinavia to Jewell.
From Concordia, via Arion, Glasco, and Rock Hill, to Ellsworth.
From Concordia, via Oak Creek, Murphy, and Grover, to Minneapolis.
From Jewell to Cawker City.
From Cawker City, via Osborne, to Ball's City.
From New Scandinavia, via Gomeria and White Rock, to Big Timber.
From Waterville, via Clyde, to Concordia.
From Clyde, via Shirley, to Murphy.
From Alma, via Newburg, to Saint Mary.
From Concordia, via Granny Creek, to Beloit.
From Marion Centre, via Coneburg, Holden, Sedgwick City, and Park City, to Wichita.
From Washington to Hanover.
From Ladore, via Timber Hill, Cherryville, Morgan City, and Independence, to Louisburg.

KENTUCKY.

From Burksville, via Grider, to Celina Junction.
From Bardstown to Bloomfield.
From Pikeville to Warfield.
From Blaine to Paintsville.
From Coalton to Mount Savage Furnace.
From Louisa to Louisville.
From Caseyville to Dixon.
From Florence to Benton.
From Campton to Fitchburg.
From Somerset, via Point Burnside, Tate's Store, Robert's Store, Pine Knot Tavern, to Marsh Creek.

LOUISIANA.

From Farmersville, via Spearsville, to El Dorado, in Arkansas.
From Rayville to Redmouth.
From Forksville to Indian Village.
From Arcadia to Ringgold.
From Vienna to Homer.

MAINE.

From Penobscot, via South Penobscot, North Brooksville, and Brooksville, to Sargentsville.
From South Brooksville, via West Brooksville, to North Brooksville.
From Surrey to South Surrey.
From Blue Hill to McHard's Stream.
From South Paris to North Waterford.

MARYLAND.

From Linwood to McKinstry's Mills.
From Cockeysville, via Shawan Manton Mills, to Reisterstown.
From Hampstead to Houcksville and Upperco.
From Cockeysville to Warren.
From Baltimore to Monument House.
From Bridgeport to Harney.
From Lisbon to Florence.
From Sandy Springs to Brighton.
From Monocacy to Bealsville.
From Clarksville to Nichols.
From Middlebrook to Germantown.
From Silver Hill, by Oxen Hill, to Piscataway.
From Frizzelburg to Mayberry.
From Princess Ann to Mount Vernon.
From Templeville to Marydell.
From Fairview to Conococheague.
From Galestown to Sharpstown.
From Milestown to St. Clement's Bay.
From Piney Point to Leonardtown.
From Washington, by Fort Foote, to Fort Washington.
From Mount Airy, by Long's Corners, to Damascus.
From Denton to Andersontown.
From Hickory to Mill Green.

MASSACHUSETTS.

From South Sandwich to Mashpee.
From Hudson to Clinton.
From Foxborough to Wrentham.

MICHIGAN.

From Sutton's Bay to Leland.
From Alpena to Roger's City.
From Augusta, via Hickory Corners and Cedar Creek, to Hastings.
From Richland, via Gull Lake, to Hickory Corners.
From Maple, via Edgerton, to Newaygo.
From Peck to Tyre, in Sanilac County.
From Alaska to Hammond.
From Home, via Barton, to Paris.
From Sparta Centre, via Ensley, to Howard City.
From Hadley to Lapier.

MINNESOTA.

From Young America, via Camden, Saint George, and Koniska, to Hutchinson.
From Crow Wing to Brainard.
From Glenwood, via Langhei and Hazel Lake, to Benson.
From Fergus Falls, via Elizabeth City and Prairie Lake, to Janesville.
From Pomme de Terre, via Waseota, Moran's, Arehart's Grove, Prairie Lake, and Pelican Lake, to North Pacific Railroad, near White Oak Lake.
From Saint Joseph, via Albany, to New Munich.
From Janesville to Elysian.
From Jackson to Big Bend.
From McCauleyville, via Fergus Falls, to Otter Tail City.
From Benson Station, via Glenwood, to Alexandria.
From Fergus Falls, via Elizabeth City, to Pelican Rapids.
From Otter Tail City to Osakes.
From Atwater, via Kandryoki, to Lake Sillian.
From Litchfield, via Pipe Lake, to Preston Lake.
From Cold Spring to Mannanah.
From Hutchinson to Dassel Station.
From Alexandria, via Leaf Valley, Millerville, Clitcherell, Aurdal's, to Elizabeth City.
From Pomme de Terre to Rush Lake.
From Monkato, via Winnebago Agency, Medo, Danville, to Wells.
From Hartford, via Wart's Bridge and Fishtrap Creek, to Crow Wing River.
From Benson, via Morris, Pomme de Terre, Fergus Falls, Elizabethtown, Pelican Lake, to White Earth.

MISSISSIPPI.

From Hernando, via Dixie, to De Soto Front.
From Coldwater, via Arkabulta, to Hudson.
From Saulsbury, in Tennessee, via Canan, to Ashland, Mississippi.
From Ashland, via Rocky Ford, to Pontotoc.
From Ashland, via Hickory Flat, and Cornersville, to Oxford.
From Rossville, in Tennessee, via North Mount Pleasant, to Holly Springs, in Mississippi.
From Oxford, via College Hill and Harmony, to Tyro, Mississippi.

MISSOURI.

From Brooklyn to Greenfield.
From Marshfield to Salem, in Arkansas.
From Tenny's Grove to Dawn.
From Poplar Bluff, via Cane Creek, to Van Buren.
From Ozark to Gove Creek.
From Bucklin to Owasco.
From Commerce to Morely.
From Knob Lick Station to St. Mary's Landing.
From Palmyra, via North River, to Warren.
From Shelbina, via Oak Dale, to Miller's Mill.
From Linn Creek, via Cane Pump, Black and Oak Point, to Hermitage.
From Clinton, via Wadesburg, to Harrisonville.
From Versailles to mouth of Little Buffalo Creek.
From Mooresville to Monroe Centre.
From Seneca to Albuquerque.
From Forsyth to Arno.
From Auburn, via Prairieville, to Louisiana.
From Prairieville to Clarksville.
From Hartville, via Sunnyside, to Aurora.
From Granby, via Pineville, Missouri, and Bentonville and Fayetteville, in Arkansas, to Van Buren, in Arkansas.
From Carrolton to Waverly.
From Pierce City, via Sarcoxie and Avilla, to Bower's Mill.
From Grant City, via Lutztore, to Hopkins.

NEBRASKA.

From Fort Kearney to New Scandinavia, in Kansas.
From Hebron to Red Cloud.
From Jackson to Taffe.
From Battle Creek, via Madison, to West Point.
From Milford to York.
From Ulysses, via Cottonwood, to Oceola.
From Santee Agency to Springfield, Dakota Territory.
From Fort Kearney to Franklin City.
From Fremont to Norfolk.
From Fort Kearney to Napoleon.
From Nebraska City to Glen Rock.

NEVADA.

From Winnemuca to Paradise Valley.
From Belmont to Montezuma.
From Wadsworth to Ellsworth.

NEW JERSEY.

From Vincentown, via Red Lion and Tubernicle, to Hartford.

NEW YORK.

From Staly Hill to Staly Hollow.
From Willsborough to Willsborough Point.
From Adams, via Bishop street, to Henderson.

NORTH CAROLINA.

From Kinston, via Fountain Hill, to Ridge Spring.
From Danbury, via Park's House, to Toms Creek.
From Whitesville, via Abbottsburg, to Elizabethton.

OHIO.

From Weston to McComb.
From East Liverpool to New Waterford.
From Bowling Green to Woodville.
From Lima, via Allentown, to Spencerville.
From Barnesville, via Hendrysburgh, to Fairview.
From West Salem, via Red Haw, Rows, Jeromeville, Mohican, McZena, to Plimpton.
From Findley to Forest.

OREGON.

From Ashland, via Brown's, Link River, Lost River, Yanox, Drew's Valley, Hot Springs, in Goose Lake Valley, to Lake City, California.
From Jacksonville, via Central Point, Bybee's Ferry, to McDaniel's Mills.
From Baker City to Gem City, via Pritchard's Bridge, on Powder River, and Augusta.
From Baker City, via Auburn, Pocahontas, to Riggsville.

PENNSYLVANIA.

From Christiana, via Smyrna, Bart, May, Clomnell, Kirkwood, Forestdale, Bartville, and Nine Points, to Christiana.
From Unionville to Marlborough.
From Palm to Hosensack.
From Holland to Davisville.
From Hughes to Glen Carbon.
From Moscow, via Sterling, to Ledge Dale.
From Luzerne, via Charlestown, Exeter, Orange, Ketchem, and Carverton, to Luzerne.
From Shickshinney, via Town Hill, to Cambria.
From Shickshinney, via Town Line, Harveyville, Bloomingdale, Sweet Valley, and Muhlenberg, to Shickshinney.
From Scottville, via Jenningsville and Lovelton, to Bella Sylva.
From Hop Bottom, Lathrop, and Navin, to Springville.
From Centralia to Ashland.
From Leithsville to Hellentown.
From Lewisburg to Milton.
From Mount Jackson to R. R. Station.
From Shenandoah to Flour Barrel Station.
From Morell, via Arch Spring, to Sinking Valley.
From Tyrone to Sinking Valley.
From Alpine to Rossville.
From Bean Creek to White Haven.
From Bellview to Armville.
From Birch Run Ville to Kimberton.
From Black Creek to Sybertsville.
From Buck Mountain to Rockport.
From County Line to Dalmatia.
From Thomsontown, via East Salem and Van West, to Thompsontown.
From Hampton, via Mill Run, Elm and Indian Creek, to Donegal.
From Meyer's Mills, via Gerrett, to Elk Lick.
From Brookville, via Knoxdale and McCalmont, to Big Run.
From Tioga, via Fatmington Hill, Farmington Centre, and East Chatham, to Knoxville.
From West Bingham, Turner Creek, Spring Mills, White's Corners, Harrison Valley, Westfield, returning by Harrison Valley and Turner Creek, to West Bingham.
From Meredith, via Shamburgh, to Personville.
From Emlenton, via St. Petersburg and Alum Rock, to Jefferson Furnace.
From Kingston, via Mill Hollow, Trucksville, Dallas, Kunckle, Bowman's Creek, Lake, Lehman, Huntsville, to Kingston.
From Tunkhannock, via Eaton, South Eaton, Keelersburg, Centre Moreland, and Vernon, to Bowman's Creek.
From Brady's Bend, via Barnhart's Mills, to Peachville.
From Eberly's Mills to Harrisburg.
From Elam to Brandywine Summit.
From Flourtown to Whitemarsh.
From Mechanicsburg, Via Hampden, Good Hope, and Hogestown, to Mechanicsburg.
From Gulf Mills to Conshohocken.
From Half Way to Pottstown, or R. R. Station.
From Hanoverville to Bethlehem, or Hecktown.
From High Lake to Equinunk.
From Ashley to Wilkesbarre.
From Herriottsville to R. R. Station, or Moorhead.
From Hudson to Punxsutawney.
From Hummel's Store to Knauers.
From Laurel Run to Wilkesbarre.
From Egypt to Seigfried's Bridge.
From Locust Lane to Covode.
From Thomasville to York.
From Upper Lehigh to Eckley.
From Upper Providence to Media.
From Upsonville to Great Bend.
From Vineyard Mills to Mount Union.
From Keelersburg to Centreville.
From Herricksville, via James Mitton's and William Nesbit's, to Rummerfield Creek.
From Water Cure to Rochester.
From West Greenwood to Sutton's Corners.
From Rush, via East Rush, Rustown Corners, West Auburn, and East Spring Hill, to Laceyville.
From Montrose, via Elk Lake, Auburn Four Corners, Auburn Centre, and South Auburn, to Meshoppen.
From Honesdale, via Berlin Centre, Beach Pond, Eldred and Milanville, to Damascus.
From Hopewell Centre, via Gatchelville, to Bald Eagle.
From Elbinsville to Flint Store, M'd.
From Shippensburg, by Mowersville, to Roxburg.
From Greenwood Furnace to Belleville.
From Minta to Grant.
From Cush to Burnside.
From Greensburg, via Crabtree and New Alexandria, to Congruity.
From Bucksville, via Frankenfield's Store, Kellersville, and Connersville to Sellersville.
From Reynoldsville to Punxsutawney.
From South