

New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

TWO GOOD RULES.

Never Pay a Bill Without Taking a Receipt and Never Pay a Bill Twice.

During the Mexican war and while Santa Anna with several members of his staff were prisoners in New Orleans awaiting negotiations for an exchange, the Crescent City was visited by the mayor of a neighboring city who was enjoying the hospitalities of our municipal authorities.

Colonel W., the guest of New Orleans' chief magistrate, was a gentleman of education and intelligence, and, although notoriously imprudent and somewhat an expense to his friends, was nevertheless a man of great personal popularity—so much so that it was believed that no one could beat him for any office for which he would aspire before the people of his town.

It so happened that when the Colonel visited New Orleans he was accompanied by John L., at that time engaged in the exchange and brokerage business in the city where the Colonel was mayor.

Stopping at the same hotel with Santa Anna and his associates, who were treated by all hands with distinguished respect, the visiting mayor and his companion were soon introduced to the Mexican hero, and after an exchange of civilities the on-legged General was invited to a dinner at "The Lake," where he must bring his friends to partake of the hospitalities of the visiting mayor.

Colonel W., who had been in the habit of making the necessary arrangements, had all things ready, so that no unpleasant delays should occur to mar the festivity, and he had introduced him to General Santa Anna and staff as "My banker, Mr. John L., of "

The dinner was in a princely style, the best fish, fowl and liquor of the choicest brands were served without stint. Sentiment flowed freely, and universal good humor prevailed around the festive board.

When all was over, the Colonel called the landlord, and asked for the bill. "Two hundred and eighty dollars," said mine host.

At this the Colonel thrust his hand in his pocket, when he, to his bitter astonishment, found he had, in changing his pants, left his wallet in his other clothes; but not to be disconcerted among strangers, he turned to his "banker" with the remark, "Johnny, my boy, just fix this thing for me, and I'll fix it with you when we get back to town."

The account was squared and the party dispersed. The next day John L., calling the provider of the feast aside, said, "Colonel W., I paid that bill at the lake, and I suppose you are ready to settle with me."

"Why, you paid the bill, didn't you, Johnny?" responded the Colonel.

"Yes, sir," was the reply.

"Well, that was right. I suppose you took a receipt?"

"Yes, sir," answered "the banker."

"Now Johnny, you did exactly right—never pay a bill without taking a receipt, and never pay a bill twice. Those are my rules. You have paid the bill once, and it would be a violation of all rules for me to pay it again."

will be reflected upon the jury, who will scarcely care to convict them, and even after a long delay, should a verdict of guilty eventually be arrived at, and sentence be passed, they may still hope for a commutation.

Reasoning after this manner, what wonder that they should "do evils without fear?" But the knowledge that their consciences will bring the absolute certainty of a lifetime within the prison walls, leaving no hope of escape on this side of the grave, would impel them to pause before lifting their hands to commit a crime, and reflect upon what the world naturally feel to convict them, knowing the penalty was death, would have no existence when their verdict of guilty consigned the offender to a life imprisonment.

Another evil attending capital punishment is the law which leaves the pardoning power in the hands of one man. The divine prerogative of mercy, which is a death prerogative far too great for a single individual to bear. This was fully illustrated by the circumstances attending the fate of the man who was pardoned for the murder of General Dix a year and a half ago.

It was much to be regretted, Mr. Beecher said, that such publicity had been given to the case of Foster. For two years many of the newspapers, doing what they considered to be their duty, have been printing columns after column, dwelling upon not only the minutest details of the crime for which Foster paid a heavy penalty, but also minutely every part of a life which at best was mis-spent. Foster was never a good man or desirable citizen, but the crime for which he died, was the only one which he committed, and he was a man of good character, and he was a man of good character, and he was a man of good character.

In conclusion, Mr. Beecher spoke very impressively of the cry which had in many instances been raised against the doomed man. "Do you think," said he, "that made of the man a martyr, and that for his delay, against judge and jury for allowing the pleadings of mercy to have part in their councils; when you have executed every criminal, you are punishing a criminal, and not a man."

The proceedings of the American Association for the Care of Inebriates contains a paper on the "Pathology of Inebriety," written by Dr. George Burr, of Hingham, N. Y., in which he contends that inebriety is a disease of alimentation, by which the nutritive apparatus are disordered, and the demand for food is increased, and the food is not properly assimilated, and the result is a disease of the alimentary canal.

CRIME AND ITS PUNISHMENT. BY HENRY WARD BEECHER.

The New York Sun gives a brief synopsis of a sermon delivered by Henry Ward Beecher at Plymouth Church, wherein Mr. Beecher comments severely on the effects of capital punishment. The text on which his discourse was the eleventh verse of the eighth chapter of Ecclesiastes:

"Because sentence against an evil work is not executed speedily, therefore the heart of the sons of men is set in them to do evil."

Dwelling at some length upon the ill accruing from the length of time which was allowed after the perpetration of a crime before the criminal was brought to justice, he went on to say that among the evils of which punishment should be purged were barbarous punishments. The brutal custom of hanging, so far from effecting any good moral result, served only to harden the community, making worse and more reckless those already prone to crime, and rendering the better classes callous and indifferent to human suffering.

Providence had undoubtedly given us the right to exact a life for a life, but this penalty should be demanded only when its payment would tend to the safety of the community. In the present state of society this result is not arrived at. Our past experience has shown that the death penalty, so far from checking crime, has produced a more deadly epidemic.

Men guilty of the highest offenses known to the law should be placed under restraint; but unless absolute necessity demands it, the law should not be made to take a life which it has no power to restore. The ancient Jews, abiding by the stern old law of the Mosaic, which demands blood for blood, were not wiser than we, for they were not wiser than we, for they were not wiser than we.

Another mode suggested to abolish this barbarous practice. Now that the reaction following the recent vindication of outraged law upon Foster has set in, it will be found, almost, if not entirely, impossible to obtain a jury willing to convict a prisoner at a capital offense. This is clearly foretold by the efforts made to save the unhappy man from the ignominious death which he has suffered, and more than all by the strenuous exertions made by the jury who convicted him to undo their own work.

Knowing that their verdict of guilty, which once given can not be recalled, will consign to the scaffold, one who however gravely he may have sinned against the laws of God and man, is still a fellow creature, and will be strangely ordered to condemn him. And as a natural consequence of the door of escape thus thrown open, crime will become rampant, and the public will be made to feel that they may be secured until the public will become apathetic, and public sentiment

MARSHAL BAZAINE.

An interview in Prison with Napoleon's General-in-Chief, Marshal Bazine, at the request of the Editor of the New Orleans Republican, and his reply to the charges upon which he is arraigned.

A correspondent of the London Times has followed the Herald's plan by interviewing Marshal Bazaine, at the house in Versailles where he has been in confinement under military guard for nearly a year. After describing his cordial reception by a soldierly man of sixty, with deeply furrowed brow and grave aspect, he proceeds:

The Marshal opened the conversation in a general manner, expressing in very clear language his opinion respecting the diversities of military conduct among the European nations, concluding with the curious remark that the Latin nations were too nervous to profit equally with those of calmer temper, and that for a long time to come, owing to this physiological inequality of the mind with small arms, the Latin race will be inferior to the Saxon or slave armies, and in general to the English in the art of the infantry took aim before firing, even in the midst of battle. The Marshal then stopped, and he was asked to give me a list of the names of the officers who were with him at the battle of Metz. In what I can I do of service to you? I replied that my visit was not from simple curiosity, but I feared he might be asked to give me a list of the names of the officers who were with him at the battle of Metz.

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The government of the National Deference had never placed itself in communication with me, and I knew nothing of the matter until I saw it in the world, and only having for me to inform me of what was going on.

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Cornell Universities. But whatever may be the cause, there is the fact, and it is a fact from which I think the cause may be deduced, that extreme democratic institutions do not apparently cripple or narrow public spirit in this direction of money-spending.

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The boy took off his hat, and holding it brim up, said to the right, calling:

Attracted by imaginary oats, Jinglebones turned in that direction, when the boy adroitly clapped a thistle he held in readiness under the crupper. It acted as a charm, which he held in his right hand, and Jones' heart bounded with delight. He might yet be in time. If the stimulating thistle only kept its place—everything depended on the fate of the oat.

But the fates were against Jones. At a sudden turn the hub of the sulky struck a tattered pole, and the whole concern—spokes, felles, axle and body—went to pieces like a straw stack.

Jones was hurled head first into a briar patch, and before he could extricate himself Jinglebones, whom the shock had revived, kicked him in the back, and scattered playfully homeward.

Jones gave it up. It was too late to think of going forward. He would walk back and tell the creature he had suffered for his generosity to reward his devotion. On second thought he would wait till evening. The lady would probably keep her room all night, and it would be against etiquette to disturb her.

Turning in the fields he sought a quiet spot for meditation. He tried to imagine what Dix was doing at that moment. Could he have been suffering from the reputation of the unfortunate half-sister of his step-father's uncle's aunt's cousin by marriage being ruthlessly assailed, and his own absence attributed to the same cause? He would probably have left even less comfortable than he did.

On way back, he skinned through the lanes and by paths, carefully avoiding the public road, now thronged with people returning from the meeting. As he listened to their cheers for Dix and their groans for Jones, his heart was better than ever. He thought of the consolation ahead.

His destination reached, he rang the door bell. Could he see the lady he had left there in the morning? He would. Would he please step in?

There she was as lovely as ever. The same smiling eyes, the same sweet, lovely smile. But stay, who is that she's wearing an introduction?

Dox by all that's diabolical! My husband, Mr. Jones, said the sweet voice of the lady in the morning, and so diabolically deluded him.

Jones rushed from the house with a fervent curse on Jinglebones for not having done his duty. He carried the district by acclamation, and Jones left to avoid being laughed out. He went into shoopees, made a fortune, and now starts as a politician, having escaped a politician's fate.

The obliging relative who forgot to explain was no other than the wretch who sold sand in his sugar.

Two Human Skeletons. [From the San Francisco Call, March 27.] A few days ago the fact was briefly mentioned in the Call that the body of a rather young man, found in a hammock, and been found in the brush about two miles from Belmont. Some Chinamen discovered them while engaged in clearing the brush.

The body was found in a hammock, and the skeleton was found in the brush about two miles from Belmont. Some Chinamen discovered them while engaged in clearing the brush.

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COURT RECORD.

TUESDAY, APRIL 12, 1873.

Superior District Court.

Thomas Lynde vs. City of New Orleans.— Judgment for plaintiff for \$742, with interest and costs of suit.

Elwyn vs. City of New Orleans.— Judgment for defendant.

Slaughterhouse Company vs. Domingue, Geger et al.—Kilo for contempt in slaughtering cattle in places other than the blocks of the company. Judgment against the defendants of fine of \$20 each, and imprisonment for twenty-four hours.

Fifth District Court.

Horter, Peterson & Keener vs. Merchants' Mutual Insurance Company.—The facts of the case are sufficiently indicated in the following extracts from the opinion of Judge Cullom:

"That the entries for the insurance on the steamboat were made, fifteen minutes before nine, and before the office or any of the book-keepers had been notified of the fact, and that as soon as he was informed of the entries, the president reinstated, declined to take the risk, and sent a note to plaintiffs notifying them to that effect, that plaintiff refused to permit the creation of the policy."

"That the business hours of the company are from nine to three, but that sometimes they open their offices from 7 P. M., always being notified in the office."

"Now, what are the legal consequences of the entry made by the book-keeper. Plaintiffs say they acted in good faith, not knowing anything about the loss of the steamer, and that but for the said entry they might have effected insurance in New York, although the vessel was four days past due."

"The company deny that the entry was made by the book-keeper, as he acted without authority before business hours, in the absence of all the officers of the company, and when it was known to the president that the entry had been made. That it was not the act of the book-keeper that bound the company, but the ratification of its proper officers."

"The ratification is a difficult one, and presents difficulties not easily overcome. The first question is: Can the book-keeper be regarded under the circumstances as agent of the company? It is bound by the scope of his customary or delegated authority in making the entry."

"On these questions hangs the entire merits of the case. If the book-keeper is the authorized agent of the company, the company is bound by the entry, and the plaintiff is entitled to recover. If not, the company is not bound, and the plaintiff is not entitled to recover."

"It is proved that it has not been the custom to make entries on policies outside of the regular business hours, and in such cases much