

New Orleans Republican. OFFICIAL JOURNAL OF THE UNITED STATES OFFICIAL JOURNAL OF NEW ORLEANS

NEW ORLEANS, MAY 1, 1873.

The river rose three inches yesterday. At the Fair Grounds yesterday the holder of ticket No. 81,999 drew the capital prize of \$3000 in gold.

The editor of the Utah Mining Journal calls one of the church dignitaries an "old ecclesiastical politician."

A colored man in Detroit lately had General Grant and Thaddeus of Warsaw arrested for assaulting him.

Motto for the French people since the recent rebellion: "If you have flinters to shed, prepare to shed him now."

The pay rolls of the city employes for March, amounting to \$31,996 06, was paid at the City Hall yesterday.

A New Jersey tobacco advertiser: "I shall continue to keep on hand imported cigars of my own manufacture."

An election of twenty-one directors of the Louisiana Jockey Club, to serve for the ensuing year, will be held at the clubhouse on Monday, May 12.

Father Hyacinthe, in his second discourse at Geneva, attacked the modern practice of confession, which admitted the priest into the family, where the husband should be supreme.

Eleven battalions of volunteers revolted and fired on General Conteras, at Madrid during the recent disturbances. Conteras escaped. Four of his staff were killed, and several were wounded.

A young lady at Troy, while engaged in conversation with a gentleman, spoke of having resided in St. Louis. "Was St. Louis your native place?" "Well, yes, part of the time," answered the lady.

Oh, the snow, the beautiful snow; such a hunky thing, you know; bling your nose, and chilling your toes, as whirling along the street it goes. No silly praise, not any for Joe, for that coldest of frauds, the beautiful snow.

It is interesting to note how many different ways Tangipahoa was rendered in the Northern and Western papers the morning after the news of the police movements on Amite was telegraphed by the Associated Press.

A Modoc picked up a shell which had been thrown into his lava bed, and thinking it was a water melon, undertook to pull the stem out with his teeth. He is now cultivating a small melon patch in the happy hunting ground beyond the western sky.

A Provia expression has a horse that, immediately upon being unitched, goes to a hydrant in the stable yard, and taking hold of the handle of the stop-cock with its teeth, turns on the water until the trough is nearly full, when it quenches its thirst.

A correspondent of an Eastern paper recalls the fact that forty years ago, in Florida, at a peace conference, under a flag of truce, between the Indians and white troops, the American commander was treacherously shot dead by Osceola, a Seminole chief, who died a lingering death in prison.

A very careful religious paper, whose name is not to be mentioned, has the following neat sentiment: "In the light of modern practices, we conclude that the surest means of getting dead-headed to go to Paradise on a special train, is to kill somebody." Try it, friend.

The attention of the reader is called to the change of time on the New Orleans, Mobile and Texas railroad, as advertised in another column. The coast train from Ocean Springs and intermediate stations will leave hereafter at 5:15 P. M. and arrive in New Orleans, in returning, at 9:30 A. M.

A Lawrence man allows his wife \$5 a week for pin money, with the understanding that she shall forfeit ten cents for each absent button, and the same amount for each cup of poor coffee. This arrangement has been going on for two years, and the day has not yet come when he could claim ten cents.

Hon. James Brooks, whose death is announced in our New York dispatches, was one of the editors of the New York Express, at one time a violent Know Nothing man. He has been for many years a Democratic Congressman, representing a large foreign born constituency. Brooks started life as a journeyman printer.

Tilton says that "the bosom of Brigham Young's family is a perfect sierra of breasts." We have often heard it said of Theodore that he was an incomprehensible sort of fellow—forever in the clouds; but we should judge from his remark that he had been steadily going higher than that, and had finally got into the milky way.

At a meeting of the Jersey City police commissioners last Wednesday evening, the commissioner moved that Mrs. Sarah Dehorst be appointed city physician at large. Mrs. Dehorst's application was supported by a large number of prominent citizens, among them Congressman Scudder and Attorney General Glendon. After considerable discussion, the matter was laid over, the board being not quite assured that it had the authority under the charter to make such an appointment.

A man was found in a Pullman car on the Kansas Pacific railroad with only a second class ticket. He had, however, purchased a section in the Pullman car. The conductor wanted the difference between first and second class fare, but the passenger refused, and maintained his position at the muzzle of a revolver. He said he had paid the railroad company for conveying him to his destination, and the Pullman company for what it gets, and he wouldn't pay another cent. He didn't.

Management has been caused by the announcement that Brevet Brigadier General, O'Neil, was fighting the Apache, and was promoted to the grade of Brigadier General to fill the vacancy caused by the death of General Canby, because General O'Neil was the rank of Lieutenant Colonel of the Twenty-third infantry, and is a Brevet Brigadier General of volunteers only. The right of seniority in promotion in the army extends, however, only to the grade of Colonel, and after that the President has a right to take a second lieutenant, if he thinks proper, and promote him to the grade of Brigadier General.

THE OFFICE OF SHERIFF.

It is claimed by those who assert that Mr. Nash was the lawful sheriff of Grant parish, that he exercised as such an official authority in summoning a posse comitatus in part composed of citizens from parishes other than Grant. The least consideration will show that both these positions are fallacies.

The office of sheriff as exercised in the United States is adopted from England. There the mode of appointment was formerly by popular election, and at present by nomination of the Crown or judiciary, but the law of England prescribes that "the sheriff, after nomination by his office, and before delivery to him of his patent, must enter into a recognition in the exchequer under a penalty of one hundred pounds sterling, etc."

After such recognition given, he must produce out of the chancery the patent for the office, the patent of assistance and the writ for the discharge of the old sheriff, and before the sheriff can be must take an oath that he will truly serve the king in the office of sheriff, and now the sheriff is an officer of the court. He is entrusted with the power to execute the process of the court, and is ex officio empowered to keep the peace within its jurisdiction. He must then be installed as an officer of the court, duly commissioned and qualified.

The law of Louisiana faithfully follows this principle. It enacts that in all other parishes except that of Orleans the sheriff shall in like manner give bond in the sum of \$5000, with certain conditions recited in the act. These are: To execute and make true return of all processes that may come into his hands, to pay over all sums of money he shall receive by virtue of his office and to perform all duties required of him by law. There is another condition precedent to the exercise of official functions by the sheriff in Louisiana. He must comply with another legal injunction: "Before any person elected or appointed to any office, State, parish or municipal, in this State shall be commissioned by the Governor (with a view to testing the eligibility of such person to hold the office to which he has been elected or appointed), such person shall take and subscribe the oath or affirmation prescribed in section 2554 of this act."

The law, therefore, requires an oath before the sheriff shall be "sworn into office," and he must also have executed a sufficient bond in the penalty stated. Now, has Mr. Nash complied with these conditions? It is incumbent on him to show that he has done so, otherwise he is an intruder into office, and worse for him than that, the same statute says:

Should any sheriff or collector of taxes, Governor, proceed to exercise any of the duties, or avail himself of any of the rights pertaining to his office before giving all the bond and security required by law for the collection of taxes, or discharge of duties as sheriff, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum of not less than \$1000, and imprisoned not less than six months, at the discretion of the court.

It is now incumbent on Mr. Nash to show that he has complied with these conditions. Otherwise, if he had even received a commission from Governor Kellogg, he is a wrongdoer and intruder, subject to prosecution for having committed a misdemeanor, and is liable to fine and imprisonment.

Were he regularly qualified as sheriff the same law gives him the power to preserve the peace in cases of riot, to execute the process of court in cases of resistance made or threatened, and for these purposes to call for his aid and command the services of every able-bodied inhabitant of his parish.

Did Mr. Nash possess this legal official authority as sheriff, and if so, has he observed the restriction to call out only the inhabitants of his parish?

This is an examination of the legal authority of a sheriff. It may not be acceptable to the partisan, but in the investigation of the Grant parish conflict the decision of "who was to blame," will turn upon the compliance of the claimant, Nash, to be sheriff of Grant parish, with the conditions of the laws under which he assumed to act.

BUSINESS BEFORE PART.

A few weeks since Hon. H. T. Blow and Mr. George Knapp set off from St. Louis upon an excursion through Texas, embracing a visit to Austin and Galveston, and returning to St. Louis by way of New Orleans. Thus far there is nothing irregular in this excursion. When we add, however, that Hon. Mr. Blow is an ardent Republican, and a supporter of President Grant, while Mr. George Knapp is an editor and proprietor of the Missouri Independent, a Democratic organ and an advocate of the Greeley faction, our citizens will raise their eyebrows in astonishment. What they will ask, could two men differing so widely in politics ride together in the same cars, or sleep under the same roof, with any satisfaction to each other? These two gentlemen certainly did so, and together in this city received the most hospitable attentions, without respect to their past political color or condition.

We have now had a dozen columns of their triumphant expedition into the land subjugated commercially by the united enterprise of the citizens of St. Louis. These journal commissioners have planted the customary monument of primary occupation with the inscription, "In the name of St. Louis, A. D. 1873," and return to the Future City.

St. Louis certainly does not want for expeditions to Texas by way of the actuals and bayous of Michouda, and correctly reached Sabine City. The expedition was treated with great kindness by the natives who exchanged fresh eggs and potatoes against cotton cloths and tobacco. But the excursion of Messrs. Blow and Knapp was the more significant of commerce.

They made the round trip in about the ordinary running time from St. Louis down here by steamboat. The railroad system of Texas, with its branches into Mexico is described, the port of Galveston has a right to take a second lieutenant, if he thinks proper, and promote him to the grade of Brigadier General.

planation. Men who are really without guilt are fearless and never think of skulking.

A precipitate retreat without reason is justly regarded as almost conclusive proof of guilt. And we may regret the pretended innocents of Grant parish and their zealous but indiscreet apologists in New Orleans that the tactics they have now adopted were tried a year or two ago in Alamance county, North Carolina, but without success. There it will be recollected, "peaceable citizens were dragged from their homes at midnight," who, after being put to the proper tests, proved to be fiends incarnate and finally found themselves in Albany, many of them on their own confession.

The best thing the really innocent citizen of Grant parish, if there are any, can do is to come forward in a straightforward, manly way and assist the officers of the law in bringing the guilty parties to justice. For it is absolutely certain that the instigators and many of the actors in the massacre are harbored there, and unless something is done to assist in separating the guilty from the innocent, they will all be condemned together. The sudden assumption of a character for innocence will not deceive those who are charged with the duty of investigating the matter.

The Washington Chronicle, in considering this subject, makes the following rather pointed remarks upon this two-faced policy:

The Louisiana rebel Democracy begin to realize the fact that the unprovoked slaughter of a few hundred citizens on account of the color of their skins and their politics is rather a dangerous position. Their late hurrahs of savage exultation over their bloody work in Grant and other parishes is changed into weak attempts to find excuses for the horror. They no longer speak of it as a "glorious victory over the d—d Radicals," but refer to it as that "unfortunate affair in Grant parish," and complain bitterly of the "United States government," which "has sought to inflame Northern opinion," and of his "warring executive agent," "put up his most sorry lip" at what they call "the party raid" and "partisan war." They accuse him of filling the country north with "poisonous rumors," and making his official dispatches "mere barometre documents for political purposes," etc. and sadly mourn over Louisiana as a province of the government, and Kellogg as a victor of the President. 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