New Orleans Republican.

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THE DAILY REPUBLICAN

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THE WEEKLY REPUBLICAN

is published every Saturday morning, and contains the news by telegraph, miscellaneous reading, editorials, local matters of general public interest, commercial and monetary reports, and everything that appears in the Daily, except such items as are of little or no public moment. The WEEKLY REPUBLICAN is an excellent family paper, valuable as well for instruction and amusement as information on the current topics of the day.

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YOUNG GRIMES.

Old Grimes is dead—that good old man
We ne'er shall see him more;
But he has left a son who bears
The name that old Grimes bore.

He wears a coat of latest cut,
His vest is new and gay;
He can not bear to see distress
So turns from it away.

His pants and gaiters—fitting snug
O'er patent leather shoes;
His hair is by a barber curled—
He smokes cigars and chews.

A chain of massive gold is borne
Above his dashy vest;
His clothes were better every day
Than were old Grimes' best.

In fashion's court he constant walks,
Where he delight doth shed;
His hands are white and very soft,
But softer is his head.

He's six feet tall—no post more straight—
His teeth are pearly white;
In habits he is sometimes loose,
And sometimes very tight.

His manners are of witching grace,
His voice of sweetest tone;
His diamond pin's the very one
That old Grimes used to own.

His moustache adorns his face,
His neck a scarf of blue;
He sometimes goes to church for change,
And sleeps in Grimes' pew.

He has drank wines of every kind,
And liquors cold and hot;
Young Grimes, in short, is just the sort
Of man old Grimes was not.

OUR LATE FUSS.

What a Cincinnati Correspondent Says of Us.

The Cincinnati *Times and Chronicle* sent a rather lively correspondent to this city during the late war, who was around town generally when "the people" were exhibiting themselves. His last letter from New Orleans was dated May 12, and contained the following racy sketches:

Prophets being proverbially without honor in their own country, and events having certain inherent and aggravating tendencies to develop themselves regardless of the most reliable predictions, and to the grief and confusion of the wisest prophets, it has come to pass that the prophecy business has fallen into disrepute. Events, by their dogged and dogoned obstinacy in refusing to turn up so that the Scriptures might be fulfilled, the scribes, especially newspaper scribes, have learned to exercise a becoming caution in endeavoring to pierce with prophetic vision the misty future, or, at least, in giving expression to their opinions of what it contains.

In view of these facts, it is extremely gratifying to your correspondent that certain semi-prophetic statements, modestly ventured by him in a previous letter, have, by the subsequent actions of the people of this city, been so promptly and completely corroborated, and the correctness of his estimate of New Orleans character so thoroughly vindicated.

And now to write a few words concerning the scenes in this city of last Tuesday.

When it became known, early in the morning, that Governor Kellogg had ordered another detachment of the "peelers" to be sent to St. Martinsville, there was hurrying to and fro among the chivalry. Now, said they, is our time. This is a golden opportunity. Let us counsel together this afternoon, and let us stir up the people and cause the *ignobile vulgus* to "rage in their minds;" and let us cause *fasces* and *sara to coloni*; and let us incite the mob to bloody deeds, and then, behold, upon the morrow a mighty wail of anguish and sorrow shall go up from us. We will shout even to the people of the North countries, Lo and behold, this is the work of Kellogg. He sends his janizaries into the lowlands, and leaves us, the people of the great city, unprotected; and behold! our merchants are robbed, our houses burned, and our women slain, and there is no help in us. So most cunningly did these wicked ones devise, and this is the whole secret of the anti-Kellogg disturbance of last Tuesday.

Soon upon every street corner appeared flaming posters, calling upon the people to "Rally! Rally!! Rally!!!" at the Clay statue at three o'clock. "All who object to the sending of hired mercenaries to MURDER our brothers in the parishes," and a deal more to the same effect.

Three o'clock came, and found a motley crowd, composed mostly of professional idlers, around the statue. A young man afflicted with a deformity peculiarly suggestive in the city—viz.: a cock-eye—mounted the steps of the statue, and proceeded to fire the Southern heart with a most bewildering display of pyrotechnical and floricultural rhetoric. Then a man, who the likeness of a kingly crown had on in the shape of a big shock of reddish hair, produced his nosegay. Such eagle flights of rhetoric as all these speakers took I never knew equaled.

In the evening Lafayette square beheld a repetition of the scene, with its absurdity immeasurably intensified. Out of the three thousand who gathered there *one* man came armed—yes, *armed*. The crowd consisted of loafers, roughs, gamins, roustabouts, and all the rabble and scum of a great city, with a few respectable people drawn thither by curiosity. For a long time no one could be found to make a move, to take the initiatory. The brave talkers of the afternoon had mysteriously disappeared. At last a Frenchman mounted the rostrum and harangued the crowd:

"Fellow ceeterzens—Zis is not ze time for talk. We must rally, r-rally, r-r-rally! [Cries of "Bully for you;" "Go it, Johnny Crapeau," etc.] Zee whole Ke-logg government is one dam rascal. We must cut off zee head of ze carpet bag. We must have ze b-l-l blood of ze carpet-bag." [Shouts, groans, laughter, and cat-calls, in which the voice of the Frenchman is drowned, and another speaker is boosted up.] He says his voice is still for war. [Cries of "Shut up," "Hush your gab." "We've had enough of talking, give us arms."] "If you want arms, don't you know where there are any in this city?" [A responsive "Yes, yes, yes!"]

"If you want work, can't you find it right here, in the city?" [Cries of "Down with Kellogg." "That's business." "Hang him." "Shoot Longstreet." "Fall in, fall in."]

Then the rabble fell in—that is, they fell into inextricable confusion—and when they poured out upon North street, it was worth ten years of *decent* life, one glance at their array.

But it is useless to follow the rabble. They marched up and they marched down. They shouted, hooted and howled. They fell in and fell out. They plundered a gun store, and all who got their hands upon guns immediately put for home with their spoils, and were seen no more. They were afraid of their own shadows. They scattered in terror at the mention of a soldier or policeman, and altogether cut up such fantastic tricks before high Heaven as make the angels grin. If a solitary Metropolitan had blown his whistle upon a street corner the crowd would have melted away as the walls of Jericho did at the sound of a trumpet.

As an example of what the mob was made of, I will relate an incident which occurred while they were engaged in plundering the gun store of Folsom Brothers, opposite the Postoffice, in the Customhouse. While "the people" were busily engaged in resenting the Kellogg usurpation by robbing a private citizen of their own party, an ominous rumbling was heard down Old Levee street. Those who heard it paused suddenly in their patriotic labor. "What's that?" was the startled inquiry. "It can't be the artillery coming up from the barrack," suggests an incautious patriot. That dreadful suggestion was enough. A wild cry of horror and despair burst from the fearless and blood-thirsty "people." It smote the dingy walls of the Customhouse and carromed on the moon, that high above the city was watching the proceedings with a broad grin:

"And first one universal shriek there rushed,
Louder than the loud ocean, like the crash
Of echoing thunders; and then all was hushed,"

and the place was deserted except by your correspondent and one or two other mild-mannered newspaper reporters. Such a wild panic I never saw before; such abject terror, such a crazy flight, it was enough to make a death's head laugh.

And now behold the dreadful cause of the flight of the chivalry. Rumbling along over the stone pavement comes a solitary dray, drawn by a tired mule, driven by a colored man and brother, on his way home from work, with a mind peaceably intent upon supper and bed. Verily "one (nigger) chased a thousand" that time, and it is needless to say, practically put an end to the great uprising of "the people."

The truth of my remarks concerning the thoroughly "Frenchy" character of these people is well illustrated by their conduct during the disturbances. While the mob of near three thousand were howling and screaming in Lafayette square, and apparently thirsting for blood, and bent upon desperate and murderous deeds, a few steps away, the band upon the balcony of the Academy of Music was giving its usual evening serenade, and people were buying their tickets, while the music of the band mingled with the roar of the mob, and passing in to witness Pauline Markham and her fair blondes disport themselves in the last new burlesque and farce, though it was a question in which place the most ridiculous burlesque or the broadest farce was being enacted—the square or the theatre. Family carriages made their way slowly through the surging crowd, their inmates gazing curiously at the throng, yet evincing not the least fear. Natty young men lounged idly by, stopped for a moment to "get a light" from one of the rioters, and passed on. On the outskirts of the rabble men stood under the street lamps, or sat upon the edge of the banquette, quietly reading the last edition of some of the evening papers, while the marauders were capturing a gun store, with as much noise as could possibly have been made at the capture of Jericho. On the next corner a billiard room was in full blast, the players calmly calculating angles and chalking their cues, and occasionally the cheerful click of the ivory balls would be distinguished through the wild uproar of the mob. In no other city in the world except Paris could such things be possible.

The next day there was a frantic attempt made by the few damagogues who run the McEnery movement and disgrace the State, to carry out the programme. The very ones who had by every means in their power urged on and incited the rioters, denounced these their tools, and said: "This is the result of Kellogg's taking away our police, and leaving the city unprotected." But it was too thin. Men listened, and smiled incredulously, and read, and shrugged their shoulders. The leaders seeing that their transparent dodge was a ridiculous failure, and had brought contempt upon their cause, began to get desperate. Something must be done to keep the ball rolling, and maintain the little fiction about the "deep and deadly purpose" of "the people," which is the stock in trade of the agitators. So recourse was had to shooting at Kellogg.

Ah, but that was a gallant deed. Governor Kellogg stepped from the office door, at the corner of Magazine and Camp streets, and was met by Colonel Railey. "Are you Kellogg?" "Yes." "Then you are a son of a ——." This I write to show you how a high-toned Southern gentleman expresses himself. Then Kellogg stepped quietly into his carriage and drove off. When the carriage got a number of yards away some one plucked up courage to fire a shot through the leather at the back of the carriage top, and the bloody scene was finished, the "deep and deadly purpose" of "the people" shown, and farce No. 2 ended.

Then they fell back upon the St. Martinsville affair. Every advantage gained by the citizens was wildly exaggerated. The Metropolitans were all killed a dozen times over (in reliable dispatches from the front). DeBlanc and his heroic patriots were extolled to the skies. "Heavy cannonading," "sharp fighting." "Metropolitans hemmed in," "the citizens determined," and any quantity more of sensational nonsense was telegraphed the Associated Press after it was well known in the city that DeBlanc's men had scattered, and the trouble was practically at an end.

"The Iron Hand; or, The Knight of Mauleon," by Alexander Dumas, published this day by T. B. Peterson & Brothers, Philadelphia, is fully equal to any of the "Three Guardsmen Series." It is full of illustrations, and is one of the most exciting as well as one of the best historical novels ever printed. The works of Alexander Dumas will survive the wear and tear of centuries, and be read for their great and tragic merit for all time to come, for they enjoy a popularity such as no others can boast of. In skillfulness of arrangement, vivacity, sustained interest of narrative and inventive faculty, no writer ever rivalled him. The popularity of his novels, "The Iron Hand, or The Knight of Mauleon," "The Count of Monte Christo," "The Memoirs of a Physician," "The Queen's Necklace," "Six Years Later," "Countess of Charny," "Andree De Taverney," "The Chevalier," "Diana of Meridor," "The Three Guardsmen," "Twenty Years After," "Bragelonne, the Son of Athos," "The Iron Mask," "Louise La Valliere," "The Adventures of a Marquis," "The Forty-five Guardsmen," "Camille, or the Fate of a Coquette," and others, have never been equalled. "The Iron Hand" is published in a large octavo volume, with a life-like portrait of Dumas on the cover, price one dollar, and is for sale by all booksellers, or copies will be sent to any one, post-paid, on receipt of price by the publishers, T. B. Peterson & Brothers, Philadelphia, Pennsylvania.

Sir Charles Dilke alludes to New York as an Irish city. The *Herald* corrects Sir Charles, and thinks it is as much German as Irish. The third position is that it is less American than either. Between "bier" and "blarney" the native elements are engulfed, and only come to the surface occasionally to take breath.

BY THE SHORE OF THE RIVER.

Through the gray willows the bleak winds are raving
Here on the shore, with its driftwood and sands;
Over the river the lilies are waving
Bathed in the sunshine of Orient lands;
Over the river, the wide, dark river
Spring time and summer are blooming forever.

Here, all alone on the rocks, I am sitting,
Fitting, and waiting—my comrades all gone—
Shadows of mystery drearily flitting
Over the surf with its sorrowful moan,
Over the river, the strange, cold river,
Ah! must I wait for the boatman forever!

Wife and children and friends were around me,
Labor and rest were as wings to my soul;
Honor and love were the laurels that crowned me;
Little I recked how the dark waters roll
But the deep river, the gray, misty river,
All that I lived for has taken forever!

Silently came a black boat o'er the billows,
Stealthily grated the keel on the sand;
Rustling footsteps were heard through the willows;
There the dark Boatman stood, waving his hand,
Whispering, "I come, o'er the shadowy river,
She who is dearest must leave thee forever."

Suns that were brightest and skies that were bluest
Darkened and paled in the message he bore.
Year after year went the fondest, the truest,
Following that beckoning hand to the shore,
Down to the river, the cold grim river,
Over whose waters they vanished forever.

Yet not in visions of grief have I wandered,
Still have I toiled, though my ardors have flown.
Labor is manhood, and life is but squandered
Dreaming vague dreams of the future alone.
Yet from the tides of the mystical river
Voices of spirits are whispering ever.

Lonely and old, in the dusk I am waiting,
Till the dark Boatman, with soft, muffled oar,
Glides o'er the waves and I hear the keel grating,
See the dim, beckoning hand on the shore,
Waiting me over the welcoming river
To gardens and homes that are shining forever!

[Atlantic for June.

[From the Toledo Blade.]

THE NASBY LETTERS.

Mr. Nasby Suggests a Quick and Easy Method of Disposing of the Modocs.

CONFEDRIT X ROADS, (Wich is in the State uv Kentucky.) May 7, 1873.

The great problem uv the day seems to be how to get the Modocs out uv the holes in the lava beds, so that they kin be regularly killed by the military forces uv the Yoonited States. Ez the government has armed them rather better, ez a rule, than they have their own troops, and ez they decline to come out and fight by the regler tactics, the conundrum is a hard one.

Ez it seems to be certain that whoever goes out agin em gets killed, I wood sejest that the shortest way uv endin the war wood be to compel the Indian and army contractors to fite em. But I presume they wood object. They doubtless find it more profitable to furnish the soldiers and the Indians. Ez a Kentucky Democrat, who hez never been reconstructed, and never will be, I wood be pleased to hev the tyrant Grant and the Cabinet which assists him in his tyranny, go on this dooty, but I don't spose they will do it.

I hev, however, a sejestion for intrappin the wily savages, which, with my yoosual generosity, I give the public gratis. I ask no reward, but ef the government hez a sense of gratitood, the government knows my address, which is Confederit X Roads. Ef a reward is given me, I wood say, let it be in greenbacks. Medals are all well enuff for futcher generashuns, but medals will not buy likker for this generashun; and this is the one I hev an espeshal interest in. Bascom don't recognize medals.

My idee is best illustrated by the narrashun uv a incident which occurred at the Cross Roads, only last week, and wich sejested it.

The old citizens uv the Cross Roads, in a sportive mood, a few weeks ago, made it tolerably warm for Pollock and a dozen or so niggers. They bustid in Pollock's house, and bustid the head uv every nigger they happened to meet in the streets. One uv em, I bleev, died from the injoories. Joe Bigler and Pollock determined to see ef there wuz eny law in Kentucky to protect em, and to that end they made a complaint afore the grand joory, who, ez a matter uv joke, indicted all the participants, which incloded Captain McPelter, Elder Pennibacher, Deckin Pogram, Issaker Gavitt and myself. Uv course the joory hed no idea that we shood be arrested but they wuz mistaken. The judge and the sheriff hed ben over to the Corners, only a week afore, and hed hed a dispoot with Bascom about a bar bill, and they took this opportoonity to gratify their spite. They came over with a strong possee to take the entire lot ov us, and expectin resistance, came armed.

We got notice uv their intenshun and determined that, no matter wat the result, we wood not submit to so outrageous an infringement uv our rites ez Kentuckians. We went to the church—we took in with us our shot-guns and revolvers—we barricaded the doors and winders, and calmly awaited the comin of the minyuns uv the law.

They came—five uv em. Seein our posishun, the sheriff with a white cloth on the ramrod uv his shot-gun approached, and demanded that we surrender.

"Never," sez I. "We are armed to the teeth, and wo be to yoo ef you attempt to take us. Go home, misguided man! The Corners never surrenders!"

He saw that we wuz all armed and went back for consulashen. We coodent hear wat they sed, but ther ackshens wuz omenus. They sat down afore our citadel to besiege us. They fired shots at us at intervals, wich we returned, tho no damage wuz done on either side.

The day wore away. We entered our fortress at 9 in the mornin, and at 11 we began to be anxious that the siege be raised. We cood go without eatin a day or two, without trouble. But at 11 o'clock the terrible fact occurred to us that we hedn't brot with us a drop uv whisky! not a drop. Ez we gazed out ov the winders we cood see the citizens uv the Corners flockin gaily into Bascom's, and I cood, thro the open door ov the grocery, see Mrs. B. settin' out the familyer bottle, and the drouthy souls asswagin their thirst. The site wuz maddenin. Within twenty rods uv sustenance and not a drop to be had! Outside the officers stood—to vencher out waz arrest—and yet, how cood we stay!

But we resolved (and swore each to the other), that, likker or no likker, we wood resist the officers to the last—that ef they took us they wood take us ded! For men who hed not hed a drop for three hours, with a grosery in full site, almost within hearin uv the refreshin gurgle uv the flooid ez it gushed from the bottle's mouth, this wuz more than Spartan firmnis. Greece in her pammiest days never furnished heroes uv more sterner mould, and the Greeks uv the olden time were no slouches.

At half-past 12 that venerable saint, Deekin Pogram, wuz nearly delirious, and down Elder Pennibacker's wan bloo cheeks teers chased each other in rapid succession.

"We kin die, Elder!" sed the deekin.

"We kin—we kin!" responded the elder.

At 1 o'clock, Joe Bigler jined the besiegen party. He talked a minit or two with the sheriff, and one uv the officers left. He went into Bascom's, and in a minit emerged with a jug. That jug he carried up to within ten rods uv the meetin house, and sot it on a dry goods box, with a tumbler beside it. We watched the proceedin with breathless interest. Joe Bigler, with a piece uv chalk, wrote in bold letters on that box:

"CORN WHISKY—FREE."

And the officers went back a few steps.

The deekin looked at it, and a shudder shook his venerable frame.

"Parson," sed he, "I am an old man, and cant endoor privashuns as I wunst cood. I will venchur out to see ef we kin compromise with these crooel, crooel men!"

And the deekin went. He reached the jug, poured out a refresher and swallered it. That act wuz the demoralization uv the party. Pennibacker rushed out, Issaker Gavitt followed, Bascom follered him, and bein out uv our stronghold wuz arrested, one by one, without trouble amid the jeers uv the officers. Above all rang the jeering laff uv Bigler, who exultinly remarkt that he knew that not one uv us cood resist the attrackshun uv a jug marked "free."

That nite we all slept in the jail at Secessionville, from wich we only emerged on givin bail for our apperance at court.

This wuz wat happened to us, and the way it happened. The Modocs, ef they are like other Injuns, hev ez ardent affeckshun for whisky ez the average Cross Roader. Let the commandin officer post sharpshooters in front uv the sekret hidin places uv the noble red man. Let him roll out afore their hiding places, and within range uv the sharp-shooters, a barrel of new corn whisky, and put on it an inscripshun in the Modoc language, "Free!" Then ez they come out for it shoot em. A Cross Roader wood come out ef he knew he wuz agoin to die the next minit, and I bleeve the Injun wood. I wood sejest, however, that they be allowed to take a good pull afore they are shot. Let us not be crooel. Let the noble red man die happy.

Ez I remarked, ef the government is grateful for sejestions, and proposes to reward me for this simple method of endin a costly war, my address is still at Contedrit Cross Roads, wich is in the state of Kentucky.

PETROLEUM V. NASBY.
(Wich wuz Postmaster.)

ROCK OF AGES.

Seldom have we read a sweeter illustration of the thoughtless and experimental way of singing this hymn, than that which is embodied in the following anonymous verses:

"Rock of Ages, cleft for me"
Thoughtlessly the maiden sung;
Fell the words unconsciously
From her girlish, gleeful tongue,
Sang as little children sing;
Sang as sing the birds in June;
Fell the words like light leaves down
On the current of the tune—
"Rock of Ages, cleft for me
Let me hide myself in Thee."

"Let me hide myself in Thee"—
Felt her soul no need to hide!
Sweet the song as song could be—
And she had no thought beside;
All the words unheedingly
Fell from lips untouched by care,
Dreaming not they each might be
On some other lips a prayer—
"Rock of Ages, cleft for me,
Let me hide myself in Thee."

"Rock of Ages, cleft for me"—
'Twas a woman sung them fair,
Rose the song as storm-tossed bird
Beats with weary wings the air
Every note with sorrow stirred—
Every syllable a prayer—
"Rock of Ages, cleft for me,
Let me hide myself in Thee."

"Rock of Ages, cleft for me"—
Lips grown aged sang the hymn
Trustingly and tenderly—
Voice grown weak and eyes grown dim.
"Let me hide myself in Thee."
Trembling though the voice and low,
Ran the sweet strain peacefully,
Like a river in its flow.
Sung as only they can sing
Who life's thorny paths have pressed,
Sung as only they can sing
Who behold the promised rest—
"Rock of Ages, cleft for me,
Let me hide myself in Thee."

"Rock of Ages, cleft for me"
Sung above a coffin lid;
Underneath, all restfully,
All life's joys and sorrows hid;
Nevermore, O storm-tossed soul!
Nevermore from wind or tide,
Nevermore from billows' roll,
Wilt thou need to hide.
Could the sightless, sunken eyes,
Closed beneath the soft gray hair,
Could the mute and stiffened lips
Move again in pleading prayer,
Still, aye, still the words would be,
"Let me hide myself in Thee."

PRAIRIE DETECTIVES.

When I was employed by General Harney last summer to take charge temporarily of the Indians that were gathered near Fort Randall, Dakota, to form a new reservation, one day a guide and trailer came into the general's headquarters. I told him to be seated. He sat down on the floor, bracing his back against the wall. The general saw this, and in vexation cried out: "My God, why don't you take a chair, when there are plenty here not occupied!"

The man arose and seated himself in a chair, but in so awkward and uncomfortable a manner that he looked as if he might slip from it at any moment. But when this uncouth person came to transact his business with the general, he turned out to be a man of no ordinary abilities. His description of a route he took as guide and trailer for the Ogallalahs in bringing them from the Platte to the fort was minute and to me exceedingly interesting. Every war party that for the season had crossed his trail, he described with minuteness as to their number, the kind of arms they had, and stated the tribes they belonged to. In these strange revelations that he made there was neither imposition or supposition, for he gave satisfactory reasons for every assertion he made.

I have rode several hundred miles with an experienced guide and trailer, Hack, whom I interrogated upon many points in the practice of this art. Nearly all tracks I saw, either old or new, as a novice in the art, I questioned him about. In going to the Niobrata river we crossed the track of an Indian pony. My guide followed the trail a few miles and then said: "It is a stray black horse, with a long, bushy tail, nearly starved to death, has a split hoof of the left fore foot, and goes very lame, and he passed here early this morning." Astonished and incredulous I asked him the reasons for knowing these particulars by the tracks of the animal, when he replied: "It was a stray horse, because it did not go in a direct line; his tail was long, for he dragged it over the snow; in brushing against a bush he left some of his hair, which shows its color. He was very hungry, for in going along, he has nipped at those high, dry weeds which horses seldom eat. The fissure of the left fore foot left, also, its track, and the depth of the indentation shows the degree of his lameness; and his tracks show he was here this morning when the snow was hard with frost."

At another place we came across an Indian track, and he said: "It is an old Yankton, who came across the Missouri last evening to look at his traps. In coming over he carried in his right hand a trap and in his left a lasso to catch a pony he had lost. He returned without finding the horse, but had caught in the trap he had put out a prairie wolf, which he carried home on his back, and a bundle of kinikinic wood in his right hand." Then he gave his reasons: "I know he is old by the impression his gait has made, and a Yankton by that of his moccasin. He is from the other side of the river, as there are no Yanktons on this side. The trap he carried struck the snow now and then, and, in the same manner as when he came, shows that he did not find his pony. A drop of blood in the centre of his track shows that he carried the wolf on his back, and the bundle of kinikinic wood he used for a staff for support, and catching a wolf, also shows that he had traps." "But," I asked, "how do you know it's a wolf; why not a fox or a coyote, or even a deer?" Said he, "If it had been a fox or coyote, or any other kind of small game, he would have slipped the head of the animal in his waist-belt, and so carried it by his side, and not on his shoulders. Deer are not caught by traps; but if it had been a deer, he would not have crossed this high hill, but would have gone back by way of the ravine, and the load would have made his steps still more tottering."

Another Indian track we saw twenty miles west of this he put this serious construction upon: "He is an upper Indian—a prowling horse thief—carried a double shot gun, and is a rascal that killed some white man latly, and passed here one week ago; for," said he, "a lone Indian in these parts is bent on mischief, and generally on the look-out for horses. He had on the shoes of a white man whom he had in all probability killed, but his steps are those of an Indian. Going through the ravine, the end of his gun hit into the deep snow. A week ago we had a very warm day, and the snow being soft, he made these deep tracks; ever since it has been intensely cold weather, which makes very shallow tracks." I suggest that perhaps he bought those shoes. "Indians don't buy shoes, and if they did they would not buy them so large as these were, for Indians have very small feet."

Whether it is desirable to have a great number of relatives is what we don't propose to determine; but a little stranger came into this world lately, at Lewistown, Maine, while in the house were its two parents, two grandmothers, two grandfathers, one great-grandfather, four aunts and one uncle; so that it entered at once upon its career of son, grandchild, great grandchild and nephew. An auspicious beginning, if the grandmothers and aunts do not physic the poor little creature to death.

A young poet once asked Douglass Jerrold to pass a candid criticism on two of his productions. Jerrold waited rather impatiently until his tormentor had concluded reading the first poem, and then quickly exclaimed: "I like your other poem the best." "But you have not heard it read." "That is why I prefer it."

COURT RECORD.

SATURDAY, MAY 24, 1873.

Supreme Court.

Frederick Collin vs. J. W. Knoblock; J. W. Knoblock vs. Frederick Collin, consolidated.—Appeal from the Fifteenth Judicial District, parish of Lafourche.—Mr. Justice Taliaferro delivered the opinion of the court in the words and figures following, to wit:

This is a controversy under the intrusion act for the office of parish judge of the parish of Lafourche, each of the contestants claiming to have been elected to that office at the general election held in November, 1872. Judgment was rendered in favor of Knoblock and Collin has appealed.

Under the intrusion into office act, we do not find authority conferred upon the courts to go beyond an investigation of the titles set up by the contestants for the office in controversy. The time at which the law was enacted and the circumstances which required its enactment show clearly that it contemplated cases only where the parties held adverse muniments of title, importing right in the holders to the office contended for, to cases where each of the parties held a commission, or where one of the litigants claimed by certificate of election and the other by appointment, exhibiting his commission and setting up the ineligibility of his adversary.

The intrusion law was passed in October, 1868. Previous to and subsequent to that time persons were frequently elected to offices to which they were ineligible by reason of the disabilities then imposed by law upon them from having been active participants in the late rebellion. Others claiming these offices under appointment, and holding commissions as evidence thereof, could resort to this law to have these conflicting claims judicially decided.

But the question in cases of that class was simply the eligibility of one of the parties and the validity of the other's commission. We think a review of all the cases adjudicated by this court, under the intrusion act, will show that in every instance the issues were as we have stated them, and that no case will be found which depended on its solution upon the inquiry as to which of the contestants obtained the larger number of votes. The adjustment and compilation of election returns, determining the number of legal and illegal votes cast for each candidate, declaring the result of an election and furnishing the successful candidate with a proper certificate; in short, superintending and controlling all the details of an election belong primarily and properly to the political department of the government.

This court, in the case of the State vs. the judge of the Second District Court, 13 An. p. 90, Judge Spofford being the organ of the court, well remarked: "The contesting of votes is not a judicial function only so far as made such by special statute. Indeed, some may have gone so far as to question whether this is not wholly a matter of administration which can not with propriety be referred to the judicial tribunal at all. At any rate, it is clear that such tribunals can not usurp any greater control over this business than is specially imposed upon them by law. In the absence of a statutory authorization, they are without jurisdiction of the matter *ratione materiæ*."

The Legislature of this State did by statute in 1855 delegate to the district courts the power to decide through the agency of juries, contested elections in regard to parish officers. The jury in such cases has the right to determine which of the parties is entitled to the office, or to refer the matter again to the people to be settled by a new election. Revised Statutes, pages 279, 280, 281, 282. Under this statute the court and jury are clothed with power to examine the grounds of the contestation and go into all the details of the election necessary to ascertain which candidate received the majority of the legal votes polled at the election. But it is only under this statute that courts can proceed to supervise the counting of votes, correct calculations, purge the polls of illegal votes and ascertain and establish majorities. It is confined to cases where no commissions have issued. It expressly requires that the contestation shall commence within ten days, that it shall be conducted summarily, and directs the withholding of commissions until the investigation may be completed and the result legally proclaimed. The subject matter of proceedings under the intrusion act is widely different from that of the statute of 1855. In cases under the intrusion law, courts can not go behind commissions legally issued. To determine the validity of a commission, they can not, under this act, go beyond the returns and report of the legal returning officers for all the elections of the State. The returns made by a legal State board, and officially promulgated by that board as the general returning officers for the State at large, constitutes the basis upon which the Governor is authorized to issue commissions. These returns are, by the act of March 16, 1870, made prima evidence in all courts of justice and before all civil officers until set aside after a contest according to law, of the right of any person named therein to hold and exercise the office to which he shall by such returns be declared elected.

This prima facie evidence, it is provided, may be rebutted and set aside, but this, we apprehend, could only be done by proceedings under the statute of 1855.

No authority is delegated to the judiciary under the intrusion act to discuss, modify or abolish the official returns of the regular State returning officers.

As we have already said, it is well settled that the judiciary have no warrant of authority to exercise jurisdiction in matters of elections unless it be expressly delegated by the co-ordinate branch of the government controlling the political department, and no express authority is granted under the intrusion act to inquire into the correctness of election returns officially promulgated by the legal returning officers, such a right cannot be assumed as an implied power.

The act of 1870, numbered 100, approved March 16, 1870, is the general law under which the elections held at the general election in November, 1872 were conducted, and which controlled as to the formalities of revising and compiling the returns from every part of the State, and the making and promulgating the final report.

It may be remarked here that, in the case we have referred to in 13 An., p. 90, it was held by Judge Spofford that, out of the parish of Orleans, there was no law providing for a judicial scrutiny into the votes for any others than "parish officers." With the character of laws, as being odious or entitled to favor, courts have not to deal. If the statute of 1870 is liable to grave criticism, it is no fault of the judicial tribunals. It is not for them to declare it infamous, even if it be so. But it is their duty to give it effect as a law wherever its provisions apply.

Under the views we have expressed, we conclude that in this action under the intrusion act the court *a qua* have improperly gone into the inquiry in regard to the details of the election held in the parish of Lafourche in November, 1872, and the correctness of the official returns promulgated by the returning officers for the State. The contest is therefore limited to the simple question of which of the contestants holds the legal and valid commission. Knoblock presents a commission issued by H. C. Warmoth, Governor, on the fourth of December, 1872. His competitor, a commissioner, issued to him by P. B. S. Pinchback on the seventeenth of December, 1872. We take judicial cognizance of the fact that on the fourth day of December, 1872, the date of the Warmoth commission, the official returns of the election had not been promulgated, and therefore the issuing the commission was a nullity. The other commission is not liable to this objection and bears prima facie proof of its validity and must be so recognized.

It is therefore ordered, adjudged and decreed that the judgment of the district court be avoided, annulled and reversed. It is further ordered and adjudged that there be judgment in favor of Frederick Collin, that he be decreed entitled to exercise the duties of the office of parish judge of the parish of Latouche, and in the capacity to receive the salary and emoluments thereunto appertaining. It is further ordered that J. M. Knoblock pay costs in both courts.

Superior District Court.

New Orleans Sugar Shed Company vs. H. H. Harris, tax collector.—Petitioner tendered fifty dollars due for license, which defendant refused to accept, on the ground that petitioner owed his tax for 1872. Petitioner contends that tax could not be collected or demanded until the license is issued. Injunction issued.

New Orleans Mechanic Society vs. City of New Orleans.—Petitioner prays that certain judgments in the Eighth District Court be declared null and void.

First District Court.

State vs. A. Marquez and G. Renaud.—Perjury and obtaining money under false pretenses. Plea of not guilty.

State vs. Jeremiah Fox.—Murder. Verdict, not guilty.

State vs. Emil Harper.—Carrying concealed weapons. Capias issued.

State vs. William H. Page.—Murder. Verdict, guilty of manslaughter. Sentence, two years hard labor in the Penitentiary.

State vs. John Bush.—Perjury. Nolle prosequi entered.

State vs. William Smith.—New trial refused.

INFORMATIONS FILED.

State vs. Mack, assault and battery; State vs. Joe Harvey, Thomas Franers, Mary Johnson and Caroline Wood, larceny; State vs. Peter McDermott, assault with dangerous weapon; State vs. John Brooks, alias Brewster, false imprisonment; State vs. Peter Alvaney and John Mullins, keeping a banking house and game; State vs. Bill Smith, alias John Johnson, burglary and larceny; State vs. F. Fahrenholz, burglary and larceny.

State vs. Michael Moran.—False imprisonment and assault and battery. Verdict guilty. Sentence—twenty-four hours in Parish Prison.

State vs. Christian Russell.—Assault and battery. A true bill.

State vs. H. M. Riddle.—Murder. Not a true bill.

State vs. J. Bethancourt.—Assault and battery. Sentenced to pay the costs of prosecution or be imprisoned twenty-four hours in the Parish Prison.

State vs. Albert Miller, alias St. Clair.—Embezzlement. Sentenced to six months in the Parish Prison.

State vs. John Lafitte.—Larceny. One year in the Penitentiary.

Fourth District Court.

Thomas J. Semmes vs. Edward W. Burbank.—This is a petitory action instituted by Thomas J. Semmes against Edward W. Burbank, both of whom reside in this city. The plaintiff alleges that he is the sole owner and absolute proprietor of a certain lot of ground in the First District of the city of New Orleans, in the square bounded by Annunciation, St. Thomas, Edward and Benjamin streets, said lot being the front part of a lot designated by the number fifteen on a plan drawn by B. F. Nichols, architect, dated May 31 1853, and deposited in the office of T. O. Stark, notary public, in this city, as plan No. 263; that the front part of said lot owned by petitioner measures twenty-two feet ten inches three lines front on Edward street, by depth of sixty feet, and was acquired by petitioner from Mrs. Abigail L. Slark, by an act of exchange passed on the May 19, 1858, before D. L. Ricardo, notary public.

Petitioner avers that on the seventeenth of June, 1865, Edward W. Burbank unlawfully obtruded himself into and took possession of said lot and the buildings thereon, and has ever since withheld and now unlawfully withholds possession of the same from petitioner.

Petitioner prays that said Burbank be cited, and that after due proceedings petitioner be adjudged the lawful owner of said lot of ground and improvements, and entitled to the possession thereof, and that said Burbank be decreed to surrender possession to petitioner, and that the sheriff do put petitioner in possession.

The answer of the defendant admits his possession of the property claimed and described in plaintiff's petition; that he is the owner and possessor in good faith of said described property, under an adjudication made to him on the fifteenth of June, 1865, by the marshal of the United States for the Eastern District of Louisiana, in virtue of a writ of *venditioni exponas*, issued by the United States District Court in the suit entitled, "The United States vs. six lots of ground, the property of T. J. Semmes," numbered 7613 of the docket of said court.

Further answering, defendant says that the said T. J. Semmes, at and subsequent to the seventeenth of July, 1862, did act as a member of Congress of the so called Confederate States of America, and which fact respondent pleads in bar to the present suit of T. J. Semmes, in virtue of and in accordance with the provisions of the act of Congress, and specially the fifth section thereof, entitled "An act to suppress insurrection, to punish treason, to seize and confiscate the property of rebels, and for other purposes," approved seventeenth of July, 1862; that said T. J. Semmes is one of the persons described in the said fifth section of said act of Congress; that said T. J. Semmes, subsequently to the said seventeenth of July, being a citizen of the State of Louisiana and resident therein, as also while temporarily in the State of Virginia was engaged in armed rebellion against the government of the United States, and aided and abetted said rebellion, and did not cease to aid, countenance and assist said rebellion and return to his allegiance to the United States within sixty days after public warning and proclamation duly given and made on the twenty-fifth of July, 1862, by the President of the United States, and which fact respondent pleads in bar to the present suit, in virtue of and in accordance with the provisions, and specially the sixth section of said act of Congress, approved July 17, 1862, and the said proclamation of the said President of the United States of July 25, 1862; and the defendant alleges that said T. J. Semmes is one of the persons described in said sixth section of said act of Congress. Defendant prays that plaintiff's petition and claim be dismissed with costs.

The plaintiff admits that at and subsequent to the seventeenth of July, 1862, he did act as a member of Congress of the so-called Confederate States of America, in that branch known as the Senate of the Confederate States, in the war against the United States, until the final surrender in 1865. He admits that prior to the confiscation proceedings, C. A. Weed was placed in possession of the property described in those proceedings, by the military authority of the United States, and he was in possession when these proceedings were instituted.

The title deeds by which the plaintiff acquired the property in controversy are in evidence; their validity is not questioned. On the seventh of August, 1863, a libel was filed in the United States District Court against six certain lots of ground, alleged to be owned by Thomas J. Semmes, on July 17, 1862, and previously thereto. Five of these lots are alleged to be situated in the square bounded by Annunciation, St. Thomas, Edward and Benjamin streets. The sixth lot is located in the square bounded by Edward, Estelle, Camp and Magazine streets. The lot last referred to was claimed as the property of Edward Bloom, and was subsequently duly decreed to be his property.

These five lots in the square above described are designated in the libel of information as lot No. 14, one-half of lot No. 18, having a front of twelve feet on Annunciation street; three certain lots in said square, designated as Nos. 14, 16 and 17, all on a plan by B. F. Nichols, dated May 31, 1853. The monition of the marshal, dated August 11, 1863, designates the lots in the same manner, and the decree of condemnation refers to and embraces only the property described in the libel. In neither the libel, the monition nor the decree of condemnation is there any reference whatever to lot No. 15 or to the fractional part thereof purchased by the plaintiff. The marshal's deed to defendant purports to convey the whole of lot No. 15 to the latter.

It is therefore clear that as the decree of condemnation did not apply to lot No. 15, the marshal's sale of that lot was utterly without warrant or authority of law, and could have no effect as against the plaintiff, or change the ownership of that lot of ground. It is argued by defendant's counsel that lot No. 15 is identical with one of the two lots, each of which is designated as lot No. 14, and that the No. 14, used a second time, was substituted by mistake for No. 15, the lot contemplated by both the libel and the decree, as well as by the sheriff's deed. If the lot No. 15 could be substituted for either of the lots which is called No. 14, and convey the same area, there would be much force in that argument, but the lot claimed by plaintiff is only one half of lot No. 15, and the other half of that lot was owned by another person never accused of disloyalty. The government, then, did not condemn or sell the portion of lot No. 15 belonging to Thomas J. Semmes, and it did not sell and could not have sold the other portion of said lot, owned by a person who had not aided the rebellion. It can not, therefore, be said that the decree of condemnation was contemplated to cover lot No. 15, but by an error in the description the lot No. 14 was substituted for No. 15.

A pardon of President Johnson to plaintiff, dated October 19, 1865, and its formal written acceptance, are in evidence. It is contended that the acceptance of that pardon precludes him from claiming any property belonging to him sold by United States authority. In this case, as there was no authority to sell, there could have been no sale, and he is only claiming from a private citizen who seized his property unlawfully. It is urged also by defendant that as the disputed property is shown to have been seized by the United States authorities previous to the filing of said libel, and placed by them in the care of Weed, this possession was continued in the hands of the defendant, when the marshal put him in possession of the property.

The act of March 12, 1863 (12 Statutes at Large, p. 820), to provide for the collection of abandoned and captured property in insurrectionary districts within the United States, did not confiscate, or in any case absolutely divest the property of the original owner, even though disloyal. By the seizure the government constituted itself a trustee for those who were entitled, or whom it should thereafter recognize as entitled. United States vs. Klein, 13 Wallace, 128.

The fact that the plaintiff acted as member of Congress of the so-called Confederate States, and is one of the persons described both in the fifth and sixth sections of the said act of 1862, are no good plea in bar of this suit, because the pardon of President Johnson above referred to, granted on conditions, blotted out any offense that defendant may have committed in aiding the rebellion, if he complied with the conditions imposed, and it is not alleged that he did not. But whether he did or did not comply with these conditions, and whether the special pardon aforesaid has or has not the effect of blotting out the political offenses aforesaid, and the disabilities attaching to them, there can be no doubt that his political offenses were washed away on the twenty-fifth of December, 1868, by the President's proclamation granting, unconditionally and without reservation, full pardon and amnesty to every person who had participated in the rebellion. Of that proclamation this court is bound to take judicial notice.

The plaintiff owned five lots in the square above designated. Four of those lots were condemned and sold by the United States. In the war of the rebellion the United States had belligerent as well as sovereign rights; they had a right to confiscate the property of public enemies wherever found. The right of confiscation exists as fully in the case of a civil war as it does when the war is foreign, and rebels in arms against the lawful government may be treated as public enemies. The confiscation acts, with the exception of the first four sections of the act of 1872, were an exercise of the war power of the government, and not an exercise of its sovereignty or municipal power. Thomas J. Semmes was not only an offender against the government, but also one of its public enemies. As an enemy his property was liable to confiscation without any reference whatever to his personal guilt. The United States marshal, under a proper decree of the United States District Court, sold the four lots above referred to, and they are now irrevocably lost to their former owner, the plaintiff herein. The fifth lot, which is but the half of lot No. 15, was never condemned by any competent court, and was, in contemplation of law, never sold by the United States, the pretended sale and adjudication of it by the said marshal to said Burbank to the contrary notwithstanding.

The piece of ground in controversy was and still is vacant property; it has no buildings on it, and, with the exception of a cistern, no improvements. An estimation of its rent by one witness was placed at $10 per annum, while another witness estimates its rent at $10 per month. There is no evidence that a dollar of revenue was received from that lot by the defendant from 1865 to the present time. If the defendant had the use of the lot for holding his cistern during that time, I presume he was compelled to pay taxes for it, and the taxes would seem to be a fair equivalent for the use of the lot, and the plaintiff would not be allowed to recover anything for rents or revenues.

Let there be judgment, therefore, in favor of the plaintiff, Thomas J. Semmes, and against the defendant, Edward W. Burbank, decreeing the said Semmes to be the lawful owner of said lot of ground described in the petition herein, and improvements thereon, and that he is entitled to the possession thereof. And it is further ordered that said Burbank surrender possession to said Semmes, and that the sheriff do put the said Semmes in possession, and that said Burbank pay the costs of suit.

The Religion of Beauty.

"The house," says Emerson, "should bear witness in all its economy that human culture is the end to which it is built and garnished." But when we measure our habitations by this high standard, our successes are not much above those of the Esquimaux and Lap. These barbarians secure in their turf hovels shelter, security and warmth. Our notion of comfort and convenience is somewhat higher; but, after all, it is only comfort and convenience that we seek with any zeal; and the notion of making every house a temple and school to its owner is as far from our general purpose as from theirs. Yet nothing less than this ought to content us.

Nature contrives with infinite ingenuity so to distribute the meager number of human features that no two faces have ever been precisely alike. Behind these various faces sit souls as various. And their way of life is as unlike as if they came not all from the same mysterious source and moved not all to the same mysterious end. Individual growth, individual worth, are plainly the intention and the justification of natural law. And it is odd enough that men who really have personality should be quite content to live exactly like their neighbors, so that often the tenants of a whole street might exchange houses, clothes, dinner-tables, and furniture, and hardly discover the difference. Yet each of these householders has a certain culture or desire not common to the rest, which should be expressed in his habitation. For habitation is the place where love and leisure should lead him to his finest growth. It ought, therefore, to be neither conventional nor ugly. Yet nine times out of ten it is both.

Boys and girls are not taught the religiousness of beauty. They grow up and marry in the belief that thrift and ugliness are immutably joined by Providence, and only in their later years, when money is plentiful, will beauty stand in the market place waiting for the highest bidder. If their eyes were anointed they would see that costliness is not a necessary element of beauty. Nature makes a thistle just as perfect a thing in its way as a rose, and out of a stubby huckleberry patch she makes a perfect bit of summer quietness and autumn splendor. She will not permit ugliness where she can subdue or glorify it. She takes a plain human face and sets sweet thoughts and kindly impulses at work upon it, and in the slow years it grows into a lofty beauty.—*Hearth and Home.*

A skeptic who was trying to confuse a Christian colored man by the contradictory passages in the Bible, ask how it could be that we were in the Spirit and the Spirit in us, received the reply: "Oh! dar's no puzzle 'bout dat; it's like dat poker; I put it in de fire till it gets red hot—now de poker's in de fire, and de fire's in de poker." A profound theologian could not have made a better reply.

A father recently found his little girl's chubby little hands full of the blossoms of a beautiful rose tree on which he had bestowed great care. "My dear," said he, "did I not tell you not to pluck one of these trees without leave?" "Yes, papa," said the child, "but all these had leaves."

A Danbury bride received among her wedding gifts a receipted bill of $8 for gate hinges from her father.