NEW ORLEANS REPUBLICAN.

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VOLUME VII—NO. 52. NEW ORLEANS, SUNDAY, JUNE 8, 1873. WHOLE NUMBER 1893.

AMUSEMENTS.

FIREMEN'S FESTIVAL
AND TOURNAMENT.
To be given by
Pelican Hook and Ladder Fire Company,
No. 4.
FOR THE BENEFIT OF THEIR RELIEF FUND,
At the
FAIR GROUNDS,
On Sunday, June 15, 1873.

PROGRAMME.

Racing upon the main track to commence at 2 P. M.
PONY RACE—Not over fourteen hands high. Running one mile. Prize, $20. Entrance fee, $2 50.
PONY RACE—Not over fourteen and one half hands high. Running one mile. Prize, $25. Entrance fee, $5.
MILE TROT—With buggy (mule). Prize, $10.
HOUSEKEEPERS' RACE—One mile dash. Housekeepers to ride their own company's horse to best advantage. Prize, $10.
TROTTING RACE—Mile heats to harness, for horses who never beat three minutes.
Larry Hart enters gray mare Mollie.
Jerry O'Brien enters gray colt Little Mac.
J. Magnifico enters black stallion Salsero.
P. Lecourt enters bay colt Tony.
P. Lecourt enters gray horse Captain Jack.
Prize $75. Entrance $10.
MILE PACING—Horse to buggy. Owners to drive. Prize, $25. Entrance fee, $5.
MILE TROT, double teams of Mules with Float. Prize, half ton of hay.
MILE TROT, Horse with Hook and Ladder Truck. Open to all horses of the Fire Department. Prize, one handsome silver fruit basket.
GREAT CHALLENGE SILT RACE. Prize, ——. SOOT RACE. of one hundred and fifty yards. Open to all members of the Fire Department. Prize, one handsome silver Frontispiece Badge.

The following sports will take place in the field: MATCH GAME OF BASE BALL between R. E. Lee vs. ——.
GRAND CHALLENGE PIGEON SHOOTING MATCH, under the supervision of P. Charleville, Esq., No. 55 St. Charles street. Prize, complimentary cup.

There will be a variety of amusements, shows, etc., upon the grounds.
The track and grounds will be put in the best condition possible.
Entries for the pony, mule and foot race can be made until up to the time of starting.
Parties wishing to enter for the other races are respectfully requested to make application to the undersigned on or before Saturday, June 14, 1873, at 3 P. M.
Two or more of the competitors will be required to make a race.
The fire departments of Carrollton, Jefferson City, Gretna and Algiers are invited to compete in the trials.
Parties wishing to purchase the privileges for booths, restaurant, cigar, soda water and ice cream stands, shows, games, exhibitions, etc., will please apply to the chairman of the committee.
Music by the Nineteenth United States Infantry Band.
Dancing on the platform.
In case of bad weather the dancing will take place in the brick building.
Admission—Gentlemen fifty cents; ladies and children free.

LEON BERTOLI, Chairman,
jel 13t No. 30 Carondelet street.

MISCELLANEOUS.

BOURDON RESTAURANT,
LAKE END POINTCHARTRAIN RAILROAD,
Gillman & Jacq, Proprietors.
This celebrated establishment has been fully refitted for the opening of the spring business.
jel 3m

MISSISSIPPI VALLEY
Typographical Job Works.
COLLINS & JOURDAN,
Proprietors and Manufacturers,
We offer to the trade of the Mississippi Valley PRINTING INKS of every variety and guaranteed quality, at Northern prices.
Manufacturing works, Tangipahoa, Louisiana.
Business office, No. 143 Gravier street, New Orleans. my23 1y 112p

THE TRIUMPH REFRIGERATOR
Has taken all the FIRST PREMIUMS at every Fair where it has been exhibited.
It requires less ice, and preserves every description of MEATS, VEGETABLES and FRUIT better than any other.
It took the FIRST PREMIUM at the last State Fair in this city and at St. Louis last October.
For sale by CHARLES HEINTZ, Agent,
jel 3m No. 702 Tchoupitoulas street.

T. LILIENTHAL'S
PHOTOGRAPHIC GALLERY,
131.....Poydras street.....131
Between St. Charles and Camp streets.
The finest work at lowest prices. my24 1m

TEETH.....TEETH.....TEETH.
GREAT REDUCTION.
$20—Gold and Platinum Sets—$30.
(Usual charge $100.)
$15—Silver, Aluminum, and other Materials—$15
(Usual charge $50.)
$2—Gold Fillings—$2.
(Usual charge $5.
$1—Silver, Amalgam and Guillois Cement Filling—$1.
(Usual charge $3.)
DR. G. A. BETANCOURT,
174.....St. Joseph Street.....174
Between Camp and St. Charles.
Offers to insert SETS OF TEETH at the above prices, with or without the extraction of the roots. Warrants the purity of all Materials, as also the fitting of Plates, stability and duration of fillings, as if paid at the highest prices.
Extractions and other operations performed by means of anæsthetic agents.
Toothache cured instantaneously.
Consultation gratis. ap29 1y

NEW ORLEANS, RED RIVER
LANDING
AND
ALEXANDRIA LINE OF UNITED STATES MAIL COACHES.
A Concord Coach will leave Red River Landing, Louisiana, EVERY SUNDAY, WEDNESDAY and FRIDAY, at 4 P. M., on the arrival of the packets KATIE, FRANK PARGOUD and NATCHEZ from New Orleans, for Simsport, Moreauville, Mansura, Marksville, Evergreen, Cheneyville, Lecompt, arriving at Alexandria at 7 A. M. next morning, making close connection with stages for Natchitoches, Louisiana, San Augustine and Nacogdoches, Texas.
The mail leaves Red River Landing DAILY for the above places.
ap27 6m B. H. PETERSON, Proprietor.

HIDES.....SKINS.....FURS
JOSEPH B. WILKINSON, JR.,
Dealer in
Hides, Skins and Furs, Moss, Wool, Tallow, Etc.,
No. 29 Peters street, near the Customhouse, New Orleans, Louisiana.
Liberal advancement made on consignments.
jal4 1y

FOR RENT.

FOR RENT.—ON A LONG LEASE, THE THREE-story brick building No. 5 Old Levee street, late Decatur, known as the Charm Coffee House, immediately opposite the postoffice. For price and terms apply to H. M. Robinson, real estate agent, Nos. 22 and 24 Commercial place. je8 6t

FOR RENT OR SALE.—A NEW RAISED cottage in the Sixth District, on State street, between St. Charles and St. Patrick streets. The house has all modern improvements. The grounds have a front of 70 feet, by 173 feet in depth. Terms reasonable for either rent or sale. Apply at the corner of State and St. Charles streets, or at the corner of Conti and Royal streets, to C. B. FISH.
mh9

WANTED.

WANTED—BY A LADY OF UNQUESTIONABLE family a position as lady's maid, nursery governess or such like position either in the city or elsewhere. Address S., at this office. je8

TEACHER WANTED.—TO GO A SHORT distance in the country. He must be capable of instructing and organizing a brass band, and must have had some experience in teaching. Address MUSIC, Convent postoffice, St. James parish.
je8 1t*

TOBACCO AND CIGARS.

HAVANA CIGARS AND CIGARETTES.
Domestic CIGARS and CIGARETTES, and a full assortment of Chewing and Smoking TOBACCO constantly on hand and for sale by
ED. L. ZELL & CO.,
Corner Canal and Carondelet streets,
New Orleans, Louisiana.
de sold fully warranted. mh18 1y

THE LATE ELECTION

The Movement of Colored People to Procure Testimony.

IMPORTANT CORRESPONDENCE

The Advice and Co-Operation of the Governor Solicited.

FAVORABLE RESPONSE FROM HIS EXCELLENCY.

MR. PACKARD ALSO OFFERS ASSISTANCE

The following important correspondence explains itself, and is published for the information of Republicans:

NEW ORLEANS, June 6, 1873.

To His Excellency William P. Kellogg:

We have the honor to transmit to you the information that at a mass meeting of colored men, held in New Orleans May 26, 1873, a committee of nine was appointed for the purpose of procuring testimony concerning the late elections, showing the frauds perpetrated by the Fusionists upon the Republicans of this State, and also for the purpose of taking some steps toward counteracting the misrepresentations made before Congress and in the North by the Fusion Committee of Two Hundred.

The committee of colored men feel fully the importance and magnitude of the task, and the amount of labor before it; but, in the vindication of Republican principles, and the upholding of our Republican triumph last election, we feel strong in the belief that truth will at last prevail, and right triumph over wrong.

Knowing that the utmost harmony and accord must prevail, not only in all branches of the State departments, but in everything tending to sustain and perpetuate the same, we have been instructed to communicate with you, and solicit your advice and assistance for the committee in their attempt to vindicate the rights of the party, and in trying to prevent our enemies from overthrowing us by fraud, violence and misrepresentation.

We await an early reply with anxiety.

We have the honor, etc.,
J. HENRI BURCH,
C. C. ANTOINE,
J. H. INGRAHAM,
For the Committee of Colored Men.

REPLY OF GOVERNOR KELLOGG.

STATE OF LOUISIANA,
Executive Department,
New Orleans, June 6, 1873.

Hons. J. H. Burch, C. C. Antoine and J. H. Ingraham:

GENTLEMEN—I am in receipt of your communication of the sixth instant, informing me of the appointment of a committee by a mass meeting of colored Republicans in this city, held May 26, 1873, for the purpose of procuring testimony concerning the recent election in this State and soliciting my advice and assistance. In reply, I beg to assure you I feel and recognize the importance of the efforts you are making to have the Louisiana case thoroughly investigated and well understood throughout the country and in Congress, and I assure you of my cordial appreciation of your efforts and promise you my aid and support in securing evidence and otherwise carrying out your objects.

I trust that you will give the question an impartial hearing and secure only such testimony as will be free from partisan bias and will bear the most rigid scrutiny.

Very respectfully,
W. P. KELLOGG.

A copy of the letter of the committee was also addressed to Hon. S. B. Packard, chairman of the State Central Committee, and elicited the following response:

REPLY OF HON. S. B. PACKARD.

ROOMS OF THE CENTRAL EXECUTIVE COMMITTEE of the Republican Party of Louisiana,
New Orleans, June 6, 1873.

Chairman and Members of the Committee to Procure Testimony concerning the late Election:

GENTLEMEN—I have the honor to acknowledge the receipt of your communication of to-day, and to assure you of my sympathy with your efforts to secure the triumph of right and justice. Any assistance that I can render will be most cheerfully afforded.

Very respectfully,
S. B. PACKARD,
President State Central Executive Committee Republican party of Louisiana.

COURT RECORD.

SATURDAY, JUNE 7, 1873.

First District Court.

State vs. M. M. Cohen and C. R. Railey.—Conspiracy, etc. Venue changed to the parish of Jefferson.

State vs. Louis Guinebel.—Obtaining money under false pretenses. Nolle prosequi entered.

State vs. James Gallagher and Thomas Murray.—Murder and robbery. Verdict—James Gallagher, guilty; Thomas Murray, not guilty.

School Matters.

Yesterday the teachers of the public schools were made glad by receiving their pay, in currency, for the month of March. The school board have made further arrangements, which they are confident will enable them to pay salaries for April a fortnight hence.

The summer recreation will commence after Friday, the twenty-seventh of June, and the schools will be reopened for the fall season on Monday, the first of September.

Although there are now some vacancies in the schools, it has been determined to make no appointments until after the summer vacation.

It is known that some fifteen resignations will be tendered at the reopening of the schools, owing to casualties to which handsome and accomplished lady teachers are liable. Thus almost all the applicants who have passed an examination in the first grade last week will be provided for at once. Further vacancies that may occur will then be filled from the next grade, and so on until the entire list is exhausted.

We learn that J. H. Oglesby, Esq., has been tendered by the State board the appointment of director for the first representative district, made vacant by the resignation of General Cyrus Bussey.

Catholic Total Abstinence Association.

We have heretofore taken occasion to refer to the good work being accomplished by Father Butler and a party of young men who organized about a year ago a Catholic total abstinence association. The society has, since its beginning, gone on prospering and increasing in membership, and it has now, we are pleased to learn from the *Star*, become the parent of two other associations of like character—one in St. Joseph's and one in St. Alphonsus' parish. The officers of the latter are:

D. H. Buckley, president; C. Donelly, Jr., vice president; C. L. Sinclair, recording secretary; C. Carmody, financial secretary; P. Cosgrove, treasurer; John Gallagher, marshal; Frank Cruise, sergeant-at-arms.

The St. Joseph's society elected their officers last evening.

The St. Aloysius Cadet Society, for boys, is progressing well. At the meeting last Sunday five new members were admitted.

CHOOSING A PROFESSION.

Letter from Mr. Plainbody.

EDITOR REPUBLICAN:

Seeing by the perusal of the daily papers that it is customary for private individuals to apply to them occasionally for assistance and advice, which seems to me natural enough since an editor must know a great deal, and the advice he gives to one person (like a well made, ready-made coat) may fit many others, I am going to take you into my confidence and ask your advice. As the giving it will only cost on your part thought, time, labor and space in your paper, and as I buy the REPUBLICAN every morning from the newsboys, you can not regard my questions as presuming.

I am an only son and an only child. My parents both dote on me, and think me fit to be the President of the United States, or, at the very least, Governor of Louisiana, only my mother thinks the latter position so uncertain that she would prefer me to wait until I am old enough for the former. The question is, what am I to do in the meanwhile. The old folks never could agree about me; on which account I am very sorry that nature, or Providence, or the science of probabilities, or whatever power it is that regulates the distribution of offspring, did not give them another boy. The first dispute was about my name. My mother, who is practical and pious, wanted me to be christened Milton Wesley; my father who is simply political would have had me named Daniel Webster. Through the intervention of Providence, in the shape of a strong-minded, elderly, wealthy, unmarried aunt, a compromise was effected, and I was accordingly called by the name you will see subscribed to this letter. Perhaps, however, as you object to "long communications," and this may run out longer than I at present intend, it may be as well to say at once that my name is Milton Webster Plainbody. To this change my mother consented, saying there would be a W at all events for the second initial. I tell you all this, not that it is of any consequence in itself, but to show you the difficulties under which I have labored from my birth upward, owing to the fact of my being an only child. To return to the main point, the choice of a profession, my mother, who with the advance of years has grown less poetical and more pious, has selected the pulpit. She says I have all the essentials for success in that vocation—a fine presence, a deep voice, fluency of speech, and no bad habits. Zeal for the spread of the gospel and unction, she prophesies will come in time. My father, on the contrary, would have me a lawyer and a statesman, and sees no reason why I should not succeed as well as Tom Jones. Tom Jones, by the by, has been admitted to the bar this five years, and has not yet made enough by fees to keep him in boots, gloves and bouquets for his sweethearts.

Now, to tell the plain truth, I have no ambition either for the pulpit or the bar. As seen in the large mirror which hangs over the mantelpiece in the sittingroom, I appear different from what I do in my mother's eyes. I am rather short, stubby, they called me at school; with small, gray eyes, coarse, reddish hair, and ears which are more prominent than my abilities. To be sure, I have been through Latin—or rather, Latin has been through me, for there has not much remained with me—and though I am fluent enough, if that means always ready to talk, I am very slow with my pen. Somebody always had to help me with my exercises and composition—somebody helped me with this. Now, what I'm coming to is just this: Why couldn't you write an article on the foolishness of parents wishing to make professional men out of their boys, when the boys themselves would prefer anything else, and are really not fit for it? For my part, I'd like some active business, with plenty of life in it and a chance to make money, so a fellow could get married when he felt like it, and had a nice girl in his eye that was "willin" without waiting till he has lost all his enthusiasm, and the girl he'd rather have is the mother of grown daughters, and the whole world is flat and slow. I think I could do well in the dry goods business, or the cotton or commission business—that's most as respectable as the law—isn't it? But I'd actually rather be a carpenter or a hotel clerk than pound away any longer at "a classical education."

Now, Mr. Editor, if you are anything like as smart as I take you to be, you'll write just such an article as will hit the old gentleman in the right place; for he always reads your paper right straight through. I do not believe he will suspect me of having written this, but if he does I don't much care, provided you back—that's the point.

M. W. PLAINBODY.

P. S.—As this is too long for your "People's Column," I hope you will kindly find place for it somewhere else. M. W. P.

P. S. No. 2.—These postscripts are not intended for publication. M. W. P.

[We think the subject treated of in M. W. P.'s communication one of general interest, and publish it accordingly.—ED.]

Ames Methodist Episcopal Church.

The services will be conducted in the morning by Rev. J. F. Goolman, presiding elder, St. John's district, Florida. In the evening a special service will be held, when addresses will be delivered by Dr. Hadden, Dublin, Ireland, and by the pastor, Rev. James Morrow. Strangers and citizens are affectionately invited. Hours of service, 11 A. M. and 7:30 P. M.

Assessments Nos. 135, 136 and 137. See special notice column. Death of A. C Hearing, T. A. McDonald and Andrew Eck. Payable at the office of the Mutual Aid and Benevolent Life Insurance Association, No. 19 Camp street. Amount paid out since organization, August, 1868, $521,755.

A Boston liquor dealer, fined for violation of the prohibitory law, approached the clerk of the court, money in hand, and plaintively urged him to attend to his case as soon as possible, "because he had left no one at home to tend bar."

A statistical Englishman says an additional ton of coal has to be mined there each year for every person added to the population. Do they put back a ton for every person who dies?

An individual who accidentally ran against an iron column, to the detriment of one of his optics, said he received his black eye by post.

The Sixth District Grievances.

Yesterday the committee appointed at the meeting held in the Sixth District, last Wednesday evening, waited upon Administrator Lewis to convey to him the sense of the residents along St. Charles avenue, as expressed in the resolutions adopted. The committee consisted of Messrs. L. J. Higby, Joseph Hernandez, Page M. Baker and H. N. Dibell. The resolutions adopted were as follows:

WHEREAS, The Sixth District having contributed her share of money in the way of taxes into the city treasury, for the purpose of street and other improvements; and

Whereas, St. Charles street, one of the finest avenues in the city, is in an almost impassable condition, traveling over it dangerous to life and limb, and although the attention of the city authorities has been repeatedly called to it, yet nothing has been done to remedy the difficulty, while large amounts of money have been spent below Canal street.

We therefore demand of the city authorities that they at least expend our proportion of taxes in our district, and that they take immediate steps to put St. Charles street in good traveling order from Toledano street to the lower line of Carrollton.

There was a friendly interchange of views on the subject between Administrator Lewis and the committee. The whole matter was thoroughly canvassed, particularly the embarrassments under which the present Council labored on account of the operations of predecessors. It will be remembered that the Nicolson pavement was laid on St. Charles avenue, through a contract with the Southern Paving Company, upon the petition of a large number of residents along the line of the proposed improvement. Subsequently a counter petition was filed, signed by some of the original petitioners, objecting to the payment of the expenses of the road. This disagreement resulted in the city being compelled to pay the whole bill for the wooden pavement.

The committee was informed that if the property holders along the line of the road should petition the Council for repairs, under section twenty-five of the city charter, the city would do the work at once, the property holders paying two-thirds of the expense. Meantime, the Administrator informed the committee that he was now having filled in with broken brick the ruts and holes that had been found in the road at the most dangerous points.

Administrator Lewis stated that parties were here who desired to repair the road with Natchez and Paducah gravel, as an experiment, subject to future action by the Council; and that he was ready to have the experiment tested in any six squares of the road the committee might name, on condition that Mr. Hart, president of the Southern Paving Company would bind himself not to make it the subject of further litigation in behalf of the company.

Mr. Higby was of the opinion that Mr. Hart would readily consent, and proposed to see him on the subject.

The advocates of the gravel road scheme propose to lay the road-bed on condition that it shall receive a four months' test, and then, if the Council approve it, they are to receive ten dollars per lineal yard therefor.

In regard to the demand made upon the Carrollton Railway Company for a change of grade, Colonel Lewis shows from the records of his office that the action of the Council was transmitted to General Beauregard on the eighteenth of February. General Beauregard, the president of the road, courteously acknowledged receipt of the communication, and nothing has been done since. The action taken by the Council has been treated by the directors of the road with silent contempt.

The papers in the case were referred to the City Attorney some weeks ago, and in a few days—at the next meeting of the Council, probably—Mr. Lacey will submit his report and recommendations to the Council.

[Communicated.]

A Base Slander Retorted.

DONALDSONVILLE, La., June 7, 1873.

EDITOR REPUBLICAN:

In the New Orleans *Times*, of the fifth instant, appears an article complaining of the "heartless misconduct of the recognized Donaldsonville officials," in which it says "that small-pox got into the Donaldsonville jail, where several negro prisoners were confined, and the poor wretches, while in the worst stage of that disease, were thrust out. Those who were not received and attended by the few white Samaritans were left in the rain storms to seek such shelter as they might, and to spread the disease from quarter to quarter. Some, it is said, died in the swamps and were eaten by buzzards."

For the information of the *Times* I would say that on the seventeenth of May, a young colored man, who was confined in our jail, showed symptoms of small-pox, and he was immediately removed and placed in charge of a good nurse, where he received as good care as could be procured under the circumstances. The young man is now quite well. We have no small-pox in our jail; have had none before nor since the case above referred to.

The *Times'* informant is either a confirmed lunatic or wicked slanderer, and were he known by those heartless Donaldsonville officials he would certainly get the punishment he deserves for his cowardly conduct.

I take it on myself to make this statement, being chief deputy sheriff of the parish, having charge of the jail and sheriff's office, and would consider myself responsible if there was any truth in the *Times'* article. H. O. MAHER,
Deputy Sheriff, Ascension.

The Temperature.

The thermometer at Louis Frigerio's, No. 50 Chartres street, yesterday stood as follows: At 8 A. M., 80°; at 2 P. M., 87°; at 6 P. M., 83°. Lowest point during the night of June 6, 70°. Rain June 7, one-twentieth of an inch.

Health of the City.

Notwithstanding the inroads of small pox and sporadic cholera during the past and present season, our city is shown by the following statistics to be, in the main much healthier than before for some years:

Death rate per thousand in 1870	36
Death rate per thousand in 1871	34.5
Death rate per thousand in 1872	31.98

For the present year the figures have not overrun those of the year preceding.

Yellow Fever in Havana.

Authentic information has been received here that from the first to the sixth of June, inclusive, deaths by yellow fever in Havana have averaged ten per day.

The Cromwell Safe—At Anchor Midway between New York and New Orleans, with Machinery Disabled—All Well.

Yesterday afternoon Alfred Moulton, Esq., received a dispatch from Captain Clapp, at Key West, stating, that four days out from New York the cylinder of the George Cromwell was broken, and that the ship was lying at anchor on Matanillo reef, where he should lie until assistance came to tow him to New York.

Our press dispatches announce that she, on the 21st ultimo, made her way to the larger island of Abaco, a few miles southeast of the reef where she first anchored.

These are all the particulars so far ascertained. The news was received by our citizens with a great deal of enthusiasm, and many of the friends of Mr. Moulton, and of those on board, visited his office to congratulate him upon the safety of his ship.

It is about 880 miles from where she lies to New Orleans, and nearly 860 to New York. Taking into consideration the fact that the Cromwell could not be repaired here after she arrived, it is a saving for her to return to New York. There will doubtless be, or have already been, some arrangements made to bring the passengers here.

If the Cromwell broke down near the end of the fourth day out, she could not have been far from the reef, as her average speed is about nine knots. Captain Clapp has doubtless been several days getting to Key West, as the distance is about 250 miles, and a large portion of the way he had the current of the gulf stream to contend against.

General Canby's Wife.

The following tribute to General Canby's wife is published in the Indianapolis (Indiana) *Journal* of Saturday last:

More than thirty years ago, in the little town of Crawfordsville, Indiana, there was a merry, old-fashioned wedding, and Captain E. R. S. Canby and Louisa Hawkins were married. Both were young, the bride beautiful, gifted with a reed-like grace of movement, and a rich and exquisite voice, that still haunts my ear with the echo of its remembered music. The old people shook their heads that night and said she was too tender for a soldier's wife; it would not do for her to brave the hardships and dangers of the new countries. His calm, earnest way of loving had won her whole soul, and throughout the shifting changes of all this tract of years she has gone with him, and where he was there has been her home—her very home. Along the lonely frontier, at desolate outposts, in Florida, in New Mexico, in California, even on the rough edge of the battle that gentle, delicate woman has hovered near her husband, and the banner over her head was love.

In the fruitless march to Utah, under Buchanan's administration, her tent was pitched among the mountains where the troops wintered. And I recollect a letter written to kindred at home, describing their camp, and how gladly she ate the wild garlic as a preventive to scurvy, when it started under the melting snows of a late coming spring.

What the husband gained in moral height by the companionship of the Christian wife, how much he owed to her, and we through him, has not been recognized. His inherited tendency to gloom was charmed away in it at serene and gracious presence. There was healing in the wings of the guardian spirit, and through her ceaseless vigilance, whatever could harrass and annoy was smoothed from before him as by the unseen agency of fairy hands. Partly to this unfailing care is due that even poise of brain which kept his judgment so finely balanced that, as has been said by Washington in action, "he never failed to observe all that was possible, and at the same time to bound his aspirations by that which was possible."

Nothing could exceed the knightly tenderness, the courtly deference of his manner to her. He early learned—as sooner or later all must learn—that a little love is much better than fame, and those who knew him merely as the silent, inflexible officer, could not guess how the loveliness of her life was blended with his, and filled it with an undersong of wonderful sweetness.

It is pleasant in this age of individuality and self-assertion to find a woman like her of whom I write, who has never considered the question of rights, is content to vest her ambition in another, and be simply a wife. She has not lived like the lilies who toil not, but has ever been an active, earnest worker, mindful of others, forgetful of nothing but self. Her household was directed with a wise and elegant thrift more abundant than any waste, and once when the General laughingly complained of being kept on short allowance, she surprised him with a sum saved from his pay sufficient for the purchase of a farm in Missouri. This, too, was for others. In Richmond she made our enemies love her, and in New Orleans said: "I can hardly keep anything, there is such suffering about us." How many she has warmed, and cheered, and comforted, only the recording angel has written.

During their first married years her early beauty sprang up anew at their feet, and a little girl's caressing chatter filled their house with music; but the divine friend of children took the young child in His arms, even as He took the child of old, and has kept her safely housed in heaven—safe from sickness, from the battle, from the temptation, from the weight of years. Immortality would seem but a cheat if with the dust died our affections. When the everlasting doors were lifted, and the hero, crowned and annointed, went up to see the King in His beauty, there was his little girl. Perhaps no more a child.

But a fair maiden in her Father's mansion,
Clothed with celestial grace.

This true husband and wife may yet have their quiet evening together. God's love will take her to his side again, the sunset will be fair, and at evening time there shall be light.

I write of Mrs. Canby in the past, because the light of her life is gone out, and she lies sorely smitten, yearning for rest near the sunny hill-slope, to which she is drawn by such strong and subtle ties.

This is memorial day, and our soldiers' graves are green and glorious. The spot where her heart with her hero lies buried is rich with perfume, heaped with blossom and verdure, and there with reverent hand I lay this little leaf. Like Ophelia's rosemary, "it's for remembrance."

VALUABLE IMPROVED REAL ESTATE AT AUCTION BY THE SHERIFF.—Attention is called to the sale at auction to be made tomorrow at noon at the Merchants' and Auctioneers' Exchange, Royal street, by the sheriff of the parish of Orleans, of a lot of ground, with all the buildings and improvements thereon, situated in the Fourth District of this city, on Jackson street, between Jersey and Laurel streets. For particulars and terms see advertisement.

CENTRAL HOUSE.—This establishment is really worthy of the patronage of the public, if strict attention to the wants of the boarders, clean beds, cool rooms and sumptuous fare count for anything. Mrs. Pownall is trying faithfully to make the house popular, and we feel certain that she will succeed.

To have elegant light biscuits, rolls, buckwheat cakes, fruit dumplings, etc., you should use Dooley's yeast powder. Ask your grocer for it. It's a pure baking powder.

BY TELEGRAPH.

THE MODOC QUESTION

ATTORNEY GENERAL WILLIAMS' OPINION

Thiers' Speech in the Assembly

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WASHINGTON.

Opinion of Attorney General Williams on the Disposition to be Made of the Modoc Prisoners—He Considers Them Liable to Trial by a Military Commission, for Violating the Laws of Warfare—Postoffice Appointments.

WASHINGTON, June 7.—The following is the opinion of the Attorney General, on the question submitted by the War Department, relative to the captive Modocs:

DEPARTMENT OF JUSTICE,
Washington, D. C., June 7, 1873.

To the President:

SIR:—I have the honor to acknowledge the receipt from you of several papers relative to the Modoc Indians, now in custody of the United States army, with a request for my opinion as to the authority to try the captain of the prisoners by a military tribunal.

The main facts out of which the question arises are these:

In 1864 the United States made a treaty with these Indians, by the terms of which they were to go and remain upon a reservation in the State of Oregon. Late last fall, the Indians being away from their reservation, a military detachment was sent to procure their return. Finding them unwilling to go peaceably, the officer indicated his determination to use compulsion, in consequence of which a conflict ensued between the United States troops and the Indians. Soon after several peaceable citizens and their families in the vicinity were murdered by the Indians of this band.

They then intrenched themselves in the lava beds in the neighborhood, fighting ensued and one or more severe battles, in which persons on both sides were wounded and killed, and the United States troops repulsed. Pending hostilities negotiations were opened for peace, and on the thirteenth of April last General Canby, Rev. Mr. Thomas and Mr. Meacham, at a point between the opposing forces, and in the pursuance of a mutual agreement to that end, met Captain Jack, the leader of the Indians, with some of his chiefs, to discuss the terms of a treaty, and while so engaged General Canby and Mr. Thomas were treacherously assassinated and Mr. Meacham severely wounded by the Indians present on the occasion.

Battles followed, and Captain Jack and all or most of his tribe have been captured and are now in the hands of the military authorities. General Sherman, in a communication to the Secretary of War dated the third instant, recommends that such of those Indians as have violated military law be tried by a military tribunal. This recommendation is approved by the Secretary of War.

Instructions were prepared in 1863 by Francis Lieber, LL.D., revised by a board of officers, of which General E. A. Hitchcock was president, and, after approval by the President of the United States, were published for the government of the armies of the United States in the field.

Section thirteen of these instructions is as follows:

Military jurisdiction is of two kinds:

First—That which is conferred and defended by statute.

Second—That which is derived from the common law of war. Military offenses under the statute law must be tried in the manner therein declared; but military offenses which do not come within the statute must be tried and punished under the common law of war. The character of the courts which exercise these jurisdictions depends upon the local laws of each particular country.

In the forms of the United States, the first is exercised by courts martial, while cases which do not come within the rules and articles of war, or the jurisdiction conferred by statute in courts martial, are tried by military commissions.

All the authorities which I have been able to examine upon this subject, harmonize with these instructions. According to the laws of war there is nothing more sacred than a flag of truce dispatched in good faith, and there can be no greater act of perfidy and treachery than the assassination of its bearers, after they have been acknowledged and received by those to whom they are sent. No statute of the United States makes this act a crime, and therefore it is not permissible under the rules and articles of war, and if punishable at all must be through a power derived from the usages of war. Kindred to the act in question is bad faith in the breaking of his parole of a paroled prisoner. While the United States were at war with Mexico, several officers of the Mexican army were tried by a military commission composed of officers of the United States army, convicted and sentenced to be shot and executed, for breaking their parole.

Numerous trials of a similar nature took place during the war of the rebellion, but there are no statutory provisions whatever upon the subject, and the whole power of the military authorities in such cases is derived from the usages of war.

On the twenty-third of August, 1865, a military commission, duly appointed, assembled in the city of Washington, for the trial of Henry Werz, who pleaded among other things that a military commission had no jurisdiction either over his person, or over the subject matter of the charges and specifications, being a tribunal unauthorized by either statute, military law, martial law, or well established usage, but this plea was overruled, and he was convicted upon several charges, one of which was murder, in violation of the laws and customs of war, and, after sentence, he was hung for his crimes. All the proceedings in the case derive their authority and validity from the common law of war.

Certain persons, it will be remembered, were tried and convicted in the same way for the assassination of President Lincoln. Attorney General Speed, in discussing this subject, says:

"We have seen that when war comes, the laws and usages of war come also, and that during the war they are a part of the laws of the land. Under the constitution, Congress may define and punish offenses against these laws, but in default of Congress defining the laws, and prescribing a punishment for their infraction, and the mode of proceeding to ascertain whether any offense has been committed, and when punishment is to be inflicted, the army must be governed by the laws and usages of war as understood and practised by the civilized nations of the world."

Again, if the prisoner be a regular inoffending soldier of the opposite party to the war, he should be treated with all the courtesy and kindness consistent with his safe custody. If he has offended against the laws of war, he should have such trial and be punished as the laws of war require. A spy, though a prisoner of war, may be tried, condemned and executed by a military tribunal without a breach of the constitution. A bushwhacker, jayhawker, a bandit, a war rebel, an assassin, being public enemies, may be tried, condemned and executed as offenders against the laws of war. The law of nations which is the result of the experience and wisdom of ages, has decided that jayhawkers, banditti, etc., are offenders against the laws of nations, and of war, and as such are liable to the military. Our constitution has made these laws a part of the law of the land. See also Wettel, page 339; Wheaton's International Law, 306; Woolsey's International Law, 226; Halleck's International Law, 409; Milligan's case, 4 Wallace, page 2. To decide, under the circumstances therein stated, a military commission to be illegal, but the facts there are entirely different from those under consideration. Milligan was the resident of a State not in rebellion; the courts were open and unobstructed for his prosecution; he was neither a prisoner of war nor attached in any way to the military or naval service of the United States. According to the instructions heretofore referred to, no civil tribunal has jurisdiction on the cases disclosed by the papers before me. Sections forty and forty-one are as follows:

Forty—There exists no law or body of authoritative rules of action between hostile armies, except that branch of the law of nature and nations which is called the usages of war on land.

Forty-one—All municipal law of the ground on which the armies stand, or of the countries to which they belong, is silent, and of no effect, between armies in the field.

Manifestly these rules to a great extent, if not altogether, are correct, for it can not be pretended that a United States soldier is guilty of murder if he kills a public enemy in battle, which would be the case if the municipal law was enforced and applicable to an act committed under such circumstances. All the laws and customs of civilized warfare may not be applicable to an armed conflict with the Indian tribes upon our Western frontier, but the circumstances attending the assassination of Canby and Thomas are such as to make their murder as much a violation of the laws of savage as of civilized warfare, and the Indians concerned in it fully understood the baseness and treachery of their act. It is difficult to define exactly the relations of the Indian tribes to the United States, but as they have been recognized as independent communities, for treaty making purposes, and as they frequently carry on organized and protracted wars, they very properly, as it seems to me, are to be held subject to those rules of warfare which make a negotiation for peace, after hostilities, possible, and which make perfidy like that in question punishable by military authority.

Doubtless the war with the Modocs is practically ended, unless some of them should escape and renew hostilities; but it is the right of the United States, as there is no agreement for peace, to determine for themselves whether or not anything more ought to be done for the protection of the country or the punishment of crimes growing out of war. A prisoner of war remains answerable for his crimes, committed against the captors, army or people, committed before he was captured and for which he has not been punished by his own authorities. My conclusion, therefore, is, that a military commission may be appointed to try such of the Modoc Indians now in custody as are charged with offenses against the recognized laws of war, and that if upon such trial there are any that are found guilty, they may be subjected to such punishment as those laws require or justify. Very respectfully, your obedient servant,

GEORGE H. WILLIAMS,
Attorney General.

The following special postoffice appointments were made to-day: Henry Clay Bayley, in Virginia, and Peter G. Clark in Alabama.

THE MODOCS.

Arrangements Made for the Execution of the Modoc Braves—Stopped by Orders from Washington—Captain Jack Interviewed—His Grievances—Fine Personal Appearance of the Chief—His Comrades Described—He has Attempted to Escape.

SAN FRANCISCO, June 7.—No operations around the lava beds since Captain Jack's surrender.

Captain Jack says he surrendered because he could hold out no longer.

The opinion prevails that General Davis will shoot Captain Jack, Boston Charley and Schonchin, without waiting for any suggestions from the civil authorities. The correspondent of the *Bulletin* had a talk with Boston Charley, who said that a majority of the captives were prepared to die like men.

Captain Jack cares for nothing. He does not speak to any person except his sister Mary. Boston Charley says there are twelve Modocs still at large. Colonel Green's command is still hunting for them.

A dispatch from Log Point, June 4, says General Davis' command, with all the captives, were at Applegate's house, and were to come to Boyle's camp that day. Hooker Jim and Steamboat Frank are hunting after the missing warriors and squaws in that vicinity. Sleepy Tom has just come from an island in Little Klamath lake with Teechee Jack's squaw and three children.

A correspondent, writing from Boyle's Camp, under date of the fourth, says:

I had an interview with Captain Jack, through the medium of an interpreter. At first he was reticent—in fact, he did not even notice me. Finally his sister, Mary, prevailed on him to talk. His first remark was in relation to his shackles. He said it made him feel mean to be hobbled like a horse. He was not afraid to die, and had no idea of running away.

As he spoke his eyes snapped and he looked a very lion in his rage. All questions pertaining to his fighting he declined to answer. When I asked him his age he gave me to understand that he was thirty-six, and then he voluntarily started upon a statement of his grievances and those of his people. With reference to the Ben Wright affray, he said that the white men murdered his people years ago, and that what he had done was only in payment of old debts.

He did not enter into details, but left the interpreter, Scarfaced Charley, to patch up the story. A close study of Jack's face corroborates the impression derived at first sight. He is a thorough Indian; his head is large, quite square,