NEW ORLEANS REPUBLICAN.

SINGLE COPIES: FIVE CENTS. OFFICIAL JOURNAL OF THE STATE OF LOUISIANA. TERMS: $12 00 PER ANNUM.

VOLUME VII—NO. 60. NEW ORLEANS, WEDNESDAY, JUNE 18, 1873. WHOLE NUMBER 1901.

MISCELLANEOUS.

AT WALSHE'S SHIRT STORE.

NEW GOODS—NEW GOODS

AT

REDUCED PRICES FOR CASH,

FOR

Men, Boys and Children.

An unusually large and complete stock of GENTLEMEN'S FURNISHING GOODS, Embracing PERFECT FITTING SHIRTS, of his own make, UNDERSHIRTS AND DRAWERS, at low prices; COLLARS, CUFFS AND STYLISH NECKWEAR; Besides the usual large stock of BOYS' AND CHILDREN'S CLOTHING AND UNDERGARMENTS;

All at very low prices, for cash.

CALL AND SEE

B. T. WALSHE,

No. 110 Canal street.

je13 1m 1t 2p

BOUDRO'S RESTAURANT,

LAKE END PONTCHARTRAIN RAILROAD,

Billman & Jary, Proprietors.

This celebrated establishment has been fully refitted for the opening of the spring business. jel 3m

MISSISSIPPI VALLEY

Typographical Ink 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. 145 Gravier street, New Orleans. my23 1y 1t2p

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. 162 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

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. ja14 1y

HOTELS.

STOKES' HOTEL.

This favorite summer resort, at Bay St. Louis, will open on SUNDAY, June 15, 1873, under the management of Mr. Abraham Green, and the proprietors hope to enjoy the liberal patronage of their friends and the lovers of recreation. je8 1m SuTuTh

GRAND ISLE HOTEL.

ON THE SHORE OF THE GULF OF MEXICO, LOUISIANA.

Open for the Season of 1873.

The finest surf bathing in the South. Delightful, shady groves of orange and oak. The finest beach for driving in the world. The oyster farm of the South. Fish abound in every variety, and game, shrimps and crabs always plentiful. Sail boats, fishing tackle and guides to enable guests to enjoy the best of sport will always be kept, and no effort spared to make this hotel the ne plus ultra of Louisiana.

The swift, light draft and comfortable steamer BOSSIER, under command of Captain Gus Richards, will leave Harvey's canal every TUESDAY and SATURDAY, at 9 A. M., for Grand Isle and way landings, at the moderate fare of $3.

Board per month $50; per week $15; per day $3. Terms for families or for over one month very liberal. The only real watering place and the most comfortable boat to take you there in the entire South. B. MARGOT, Proprietor. je6

BUSINESS CARDS.

L. GERTEIS, AGENT.

GUNMAKER,

JOBBER AND DEALER IN FIREARMS,

Ammunition of Every Description AND SPORTING AND FISHING TACKLE,

No. 130 Common street.

Special attention paid to altering muzzle to breech-loaders and repairing firearms of all kinds. ja26 1y

P. A. MURRAY,

CISTERN MAKER,

No. 191 Magazine street, between Julia and St. Joseph streets.

(DIPLOMAS AWARDED IN 1872 AND 1873)

Cisterns made to order and repaired. All work warranted. A lot of cisterns, from 1000 to 20,000 gallons, made of the best material and workmanship, kept constantly on hand and for sale at prices to suit the times. Orders promptly attended to. mh4 1y

LOST.

NOTICE.—LOST ON SUNDAY, JUNE 3, 1873, A certain PROMISSORY NOTE for the sum of $600 and interest, drawn by J. M. Oriol to the order of and indorsed by L. N. Olivier, said note being past due. The public is hereby notified not to negotiate said note, as due notice of its loss has been given to the parties thereto, and requested to return the same, if found, to L. HOTE & CO., corner Toulouse and Franklin streets, in this city. je6 1t 20*

MEDICAL.

OBSTACLES TO MARRIAGE.—HAPPY relief for young men. Sent free in sealed letter envelopes. Address HOWARD ASSOCIATION, Philadelphia, Pennsylvania—an institution having a high reputation for honorable conduct and professional skill. mh25 3m eod

CAUTION.

NOTICE TO THE PUBLIC.

The public are hereby warned against taking or in any manner receiving or negotiating four certain promissory notes made by me to the order of J. P. Smith, for the sum of $200 each, for the rent of the dwelling No. 234 Baronne street, in this city, dated October 4, 1872, and payable, respectively, on the last days of June, July, August and September, 1873, with eight per cent interest after maturity, payable at the office of McGhee, Snowden & Violett, and containing a clause in favor of the lessee. The consideration of the above mentioned notes having failed, they will not be paid at maturity, and any party taking them will do so at his peril.

SCOTT McGHEE.

New Orleans, June 16, 1873. je17 2t 26

NORTH LOUISIANA RAILROAD BOND CASE.

Important Decision of the Supreme Court.

State of Louisiana vs. the North Louisiana and Texas Railroad Company.—Appeal from the Fourteenth Judicial District Court, parish of Ouachita. Mr. Justice Howell delivered the opinion of the court, as follows:

The State of Louisiana, through Attorney General Belden, instituted this suit in September, 1872, to recover from the North Louisiana and Texas Railroad Company the sum of one hundred and twelve thousand eight hundred dollars, with legal interest thereon from specified dates, subject to certain credits, it being the amount of the interest coupons, which were taken up and paid by the State, on five hundred and forty-six bonds of one thousand dollars each, issued to said company in 1869 and 1870, pursuant to act No. 16 of 1868, by which the company was required to deposit with the State Treasurer the money to pay the interest; also, the sum of five hundred and forty-six thousand dollars, the principal of the said bonds, with legal interest from judicial demand, and to enforce the second mortgage created by said act upon the said railroad and all its fixtures, rolling stock and appurtenances, to secure the payment of said bonds and interest; and lastly, to recover the possession of three hundred bonds alleged to have been illegally issued to the said company, or they were in default in failing to deposit the money necessary to pay the interest as it fell due, as required by the said act No. 16.

The answer contains a general denial, and avers that the bonds were issued when the company were entitled to them under the act No. 97 of 1852, published September 24, 1872, and the acceptance of them was done by the company as a release from all liability to the State, and a settlement between any and all the debts incurred to the bondholders under act No. 16 of 1868.

From a judgment in favor of the plaintiff for $87,360, amount of interest coupons paid with eight per cent interest thereon from various dates and an order for the enforcement of the second mortgage upon the railroad, fixtures, and rolling stock for the return of the 300 bonds, the company have appealed.

The act No. 108 of 1868, which is the charter of the North Louisiana and Texas Railroad Company, authorized the issuance to said company of $6000 of State bonds for every mile of track when completed, to be indorsed by the indorsements of the president of the company, and with the interest at eight per cent payable semi-annually, to be secured by a second mortgage in favor of the State upon the said railroad, fixtures and appurtenances, the company having the right to execute a first mortgage to the amount of $15,000 per mile, which by act No. 105 of 1871 was increased to $25,000 per mile; and it was made incumbent on the company then or before the maturity of any of the interest coupons on any of the said bonds, to deposit the amount thereof in the State Treasury, for the payment thereof, and in the event of the failure of said railroad company to make such deposit for the payment of the interest coupons or any bonds so issued to them, that no further issue of bonds shall be made to said railroad company, and the State shall have the right to foreclose the mortgage herein given to secure the payment of the bonds and interest issued to said board, according to the provisions of this act." See sections eleven and twelve.

The claim to enforce the payment of the bonds having been abandoned by the State, the sole question involved on this appeal is the right to collect from the company the interest, for which judgment was rendered below. The defense rests solely upon the act No. 97 of 1872, entitled an act to authorize the North Louisiana and Texas Railroad Company to substitute stock of said company, instead of second mortgage in favor of the State, and to release the said company from other liabilities to the State." It provides that in lieu of the second mortgage required by section eleven of act No. 108 of 1868, to be given to secure the State for the ultimate payment of the bonds issued in accordance therewith, the company may give its stock to the State to an amount equal to the aggregate sum of the State bonds issued or to be issued under the charter, to wit: 11,220 shares, and on the issue and delivery of said stock by the company to the State, the former shall be relieved from all liability on the aforesaid bonds of the State, and on the said delivery being made, the remainder of the whole number of bonds authorized by the charter shall be immediately issued, and the, within sixty days after the passage of the act the president and directors of the company shall, at a meeting for the purpose adopt the provisions thereof, and within ninety days thereafter a copy of the resolution of adoption shall be delivered to the Governor, who shall file it in the office of Secretary of State, and as soon as the certificate of said stock is tendered, the Governor shall cause the remainder of the said bonds to be delivered, which, with the bonds already issued, shall be payment in full for said stock; and the Governor shall appoint annually, on behalf of the State, one of the nine directors to represent the State.

It is urged on behalf of the State that the conditions or terms of this act were not accepted within the prescribed time; that it does not release the company from the liability to refund what the State had paid on account of the company before the act was passed, and that it is unconstitutional because, by necessary implication, it repeals acts Nos. 16 of 1868 and 105 of 1871, so far as they stipulate a mortgage in favor of the State, or hold the company liable on the bonds issued to them, without having made adequate provision in the said repealing act for the payment of the principal and interest of the bonds as required by article 111 of the constitution.

First, as to the acceptance of the terms and conditions of the act. It appears to have been approved on the tenth of April, 1872, and it was to take effect from and after its passage; but it was not published until the twenty-first of September following. This is one of the many instances (if proof is to be of any be correct) suggestive of the evils resulting from the practice, which has grown up within the last four years, of making laws during twelve months of the year, instead of sixty days, as fixed by one of the articles of the constitution; but, in our opinion, the acceptance was timely made, whether we consider the law in force from April 10 or September 21, for within the sixty days of each date the president and directors adopted resolutions of acceptance, and those of the latter date were transmitted to the Governor. There is and can be no question in this case as to the issuance of the remainder of the bonds within the ninety days after the said acceptance. It was clearly the purpose of the Legislature to give the company time within which they would have an opportunity to accept, and it cannot be seriously contended that the neglect of the officer in promulgating the law should make it impossible for such time to transpire, and thus deprive the company of the granted opportunity to accept. It would enable them to defeat the legislative will. Considering the acceptance as having been made within the prescribed time, as we do, there can be little doubt as to the effect of the act, if not unconstitutional, in releasing the company from all liability to the State on the bonds, which necessarily includes liability for the interest on the bonds, whether then due or not. One of the objects of the act was to release the company from liability to the State, and by express terms they were, upon a certain contingency, relieved from all liability on the bonds then issued, or to be issued. The liability for the interest coupons resulted solely from and was embraced in the liability for the bonds of which they were a part, when issued.

The State has, by making the act No. 108 of 1868 the basis of its suit, recognized and affirmed its constitutionality in regard to the adequate provisions and means provided for the payment of the current interest and the principal of the bonds. That provision was the obligation of the railroad company to deposit in the State treasury, at the prescribed dates, the money to pay the interest and the bonds, which obligation was secured by a second mortgage on the railroad, its fixtures and appurtenances. The State now says that the act No. 97 of 1872, relied on by the defendants, has repealed that provision of said act No. 108, but does not contain some adequate provision for the same purpose, and it is therefore void, because in conflict with the prohibition in article 111 of the constitution. This article reads: "Whenever the General Assembly shall contract a debt exceeding in amount the sum of one hundred thousand dollars, unless in case of war to repel invasion or suppress insurrection, it shall, in the law creating the debt, provide adequate ways and means for the payment of the current interest and of the principal when it shall became due; and the said law shall be irrepealable until principal and interest be fully paid, or unless the repealing law contain some adequate provision for the payment of the principal and interest of the debt."

Conceding that the act No. 97 of 1872 repeals in this respect the provisions of act No. 108 of 1868, and that the question of the adequacy of the provision to be made for the payment of the debt and interest is a judicial question, there is nothing in the record to enable us to determine whether or not the provision made in the law of 1872 is an adequate provision for the payment of the principal and interest of the debt created by the law of 1868. But we think there may be reasonable doubt as to whether the act of the latter actually repeals that of the earlier date, in the contemplation of the above article of the constitution. The law creating the debt is certainly not repealed. The debt of the State, so created, still exists, and the State is prevailed in this proceeding at least, from contesting its validity or that of the means first provided for its payment. It is only the form and nature of the security required of the railroad company that have been changed. By our law a second mortgage was required of the company, as security for the payment of the debt created in their behalf. By the other this second mortgage was relinquished upon the company's transferring to the State one-sixth of its entire stock. Upon the policy of these enactments and transactions, we can give no authoritative opinion. But we can very properly conclude that there is such reasonable doubt as to their unconstitutionality, in the respects referred to, as, under the well settled jurisprudence of this State and country, to be justified in not annulling them. When there is doubt, a law will not be held unconstitutional. 3 M. 12, 553; 3 N. S., 472; 4 N. S., 133; 5 R., 383; 9 R., 416; 5 An., 96, 756; 8 An., 341; 9 An., 562; 11 An., 1722.

There is another view in which this case may be considered, without direct reference to the constitutional question raised by the counsel of the State, and which is quite as favorable to the defense. This is a controversy between the State, which issued the bonds, and the railroad company for whose benefit they were issued, and the holders of the bonds and their rights are not before us. Nor is there any claim before us to enforce the payment of any of said bonds. The State has paid some of the interest on them, which it alleges the company were obligated to pay, and which it is seeking to collect, as a debt due by the company. As a defense to the suit the company plead a settlement under act No. 97, which has authorized a giving in payment. No provision of the constitution inhibits the State from accepting from its debtors such settlements as the Legislature may think judicious. The company insist that there should be a final judgment instead of one of nonsuit, on the demand for the return and annullment of the 300 bonds alleged to have been issued after default. In this we concur. The testimony of the officers of the company and the statement or certificate of the Auditor in relation to this fact, are positive that no such bonds were issued.

It is therefore ordered that the judgment appealed from be reversed, and that there be judgment in favor of the defendants, rejecting plaintiff's demands.

JUSTICE TALIAFERRO CONCURRING.

The only important question, in my judgment, that arises in this case, is as to the constitutionality of the act of the Legislature passed April 10, 1872, and numbered ninety-seven. On the part of the State it is contended that it violates article 111 of the State constitution. That article provides that "whenever the General Assembly shall contract a debt exceeding in amount the sum of $100,000, unless in case of war to repel invasion or suppress insurrection, it shall, in the law creating the debt, provide adequate ways and means for the payment of the current interest and of the principal when the same shall become due, and the said law shall be irrepealable until principal and interest be fully paid, or unless the repealing law contain some adequate provision for the payment of the principal and interest of the debt." The last clause of article 111 gives to the General Assembly a latitudinous discretion in the matter of providing ways and means for the payment of the debts it may contract, exceeding the amount $100,000. The act No. 97, I conceive, manifestly repeals the act No. 108, approved September 26, 1868, as to the kind or nature of security required. In the latter act a second mortgage is given upon the railroad, its fixtures, appurtenances, etc. The act No. 97 substitutes stock of the company in lieu of the second mortgage retained by act No. 108. This the Legislature had the right to do, under the wide discretion it has under article 111 of the constitution. But the question here arises, has the General Assembly provided adequate means for the payment of the debt contracted by the act No. 108, of September, 1868. This question is held on the part of the defendant, to be the general Assembly, exclusive. I think otherwise. Here the State raises the question of the constitutionality of an act of the Legislature. It is not for the party who moves the issue is made to decide it. It is to be solved by determining whether or not adequate means have been provided by the Legislature for the payment of the debt it has created. In my view of the case it becomes a judicial question. I view the 300 and value of the company will run pari passu with the fortunes of the company, the nature, depending upon the success or failure of the railroad. From the lights before me I am unable to say that the stock of the company, tendered to the state, is not adequate security, as said for the payment of the debt created. With the policy of substituting the stock in place of the second mortgage, the courts have nothing to do.

Entertaining these views of the subject, I concur in the decree rendered in this case.

Mr. Justice Kennard concurring: I concur with the opinion herein expressed by Justice Howell.

Mr. Chief Justice Spalding, being interested, is recused.

Court Items.

The Supreme Court room was crowded again yesterday during the progress of the libel suit, but hardly any progress was made. The defense attempted to open their case by putting Judge Hawkins on the stand as their witness. Counsel for plaintiff objected on the ground that he could not be used as a witness against his consent in that manner. The proper way was to propound interrogatories. The court sustained the objection.

Governor Warmoth was then introduced for the purpose of showing that the returns were never out of his possession, and consequently never could have been in the hands of the Lynch returning board. This was ruled inadmissible on the ground that the matter had already been passed on and declared foreign to the case under the pleadings. Mr. Ogden then raised the question and was checked by the court.

Mr. Ogden said he desired to have his client's case come before the Supreme Court in a proper shape, and he proposed to put these questions until the adverse rulings of the court were completely understood. How could the Supreme Court decide on the case unless they could have what he desired to prove before them. The court decided that it would overrule any motion to introduce any testimony in regard to the returns being before the Lynch returning board. Mr. Ogden then proposed to dismiss Messrs. Longstreet, Wharton, Lynch, Rodriguez, Herron and Bovee, who were only in attendance to prove these facts. He proposed to take a bill of exceptions to the ruling that would exclude this testimony. Plaintiff's counsel said they would agree to any bill of exceptions that Mr. Ogden would draw up.

Mr. J. C. Morris was then called, and the defense started to examine him on the minutes. Mr. Ogden called for them, but they refused to appear. Sheriffs and clerks devoted half an hour in searching for them, but they didn't come. But a discordant spirit did. Mr. Ogden said, while we were waiting he desired, that the time might not be wasted, to settle one disputed point. Doubts had been raised as to the existence of a certain witness. It was said that the witness was buried in Locust Grove Cemetery. He wished to introduce certificates from the sextons of every cemetery in the city that no person of the name of Pelagie Brown had been buried in any of them.

The sudden appearance of this purturbed spirit from the vasty deep made a sensation. But Judge Cooley seemed pretty well prepared and was ready for the ghost. He said perhaps she wasn't buried, but she was dead. He made no ironic reference to hardware at this time. Some of her wasn't buried just then anyway for he had her skull in the courtroom. The court said he had conversed with Coroner Roach, who declared he had held an inquest on the woman and that she had been cut up by Dr. Nichols. After some more talk, the grave yard documents were withdrawn and Mr. R. B. Rhett, Jr., was put on the stand, Mr. Morris standing aside to wait for the lost minutes.

Mr. Rhett stated that he was the managing editor of the *Picayune*, and had full control. No director or stockholder interfered with him about the columns of the paper. Counsel read an editorial from the *Picayune* of September 24, 1872, defining his position. Mr. Ogden then asked, referring to the alleged libelous article, if witness had been influenced by any personal feeling in making it public. Plaintiff's counsel objected, arguing that personal spite had nothing to do with it. Mr. Ogden contended he could show by this witness that motives of the public good governed the publication. Point reserved for authorities to be presented to-day. Mr. Ogden said he was compelled to go to the jury stripped of his proper defense; that he might as well lay his clients at the feet of the jury and tell them to spoliate them. Judge Cotton seemed to sympathize, for he immediately gave notice that he should move to-day to strike from the defendant's answer all but the general denial. The court then adjourned to to-day.

In the First District Court Alfred Dupre, a zealous and efficient police officer of the first precinct, was acquitted by a jury on the charge of falsely imprisoning one Conway. The facts of the case were, that April 2 Mr. Dupre attempted to arrest Alex. Blackie, who was drunk and disorderly. Conway interfered and tried to prevent the arrest. The next day Officer Dupre arrested him. An information was filed by the district attorney for the crime of false imprisonment. The case was fully tried, and after the verdict Judge Abell said that before discharging the accused he desired to say that he had known some cases of false imprisonment by police officers, but in this case he was glad to say Mr. Dupre was fully justified in making the arrest, and had acted perfectly right. He complimented Mr. Dupre very highly, and congratulated him on his honorable acquittal.

NON EST INVENTUS.

Hark to the sound,
Pelagie Brown!
Pervades the spheres,
Echoes rebound.
Returned not found
From far Algiers.

Courts draw profound,
Attorneys gowned
Sit silly mute;
The law's sleuth hounds
Hunt close the grounds
In hot pursuit.

Their yelp resounds,
Pelagie Brown!
Is loud proclaimed,
Hoiled in a mound
In hole ground,
As above named.

Rappers profound
The tables pound;
Yet this Brown Stout
Will not expound
Where under ground
She now hangs out.

Oh! did you drown
Pelagie Brown?
Or die of age?
Say! were you down
Or upward bound?
Respond, oh! Pelage."

No answering sound
This summons crowned,
Till a funeral cry
The senses wound,
And all astound
With Brown's reply:

"The judge's frown
Has sent me down
For centuries;
Lawyers abound
As above ground—
With awful fees.

"One says, 'By zounds,
Within these bounds
All paper process
Of court or crown
Would be done Brown
Where our bossis.'

"But when your counsellors come down
For testimony,
Pelagie Brown
For a fire-proof gown—
Will prove her brown
—Felony."

Coroner Roach's Proces Verbal.

Pelagie Brown's existence may be a doubtful question in some people's minds to-day, but there wasn't any dispute about January 1, 1869. Ex-Coroner Roach thinks he never makes any mistakes, and signed the original proces verbal in the full belief her corpse was being sat on by his jury, as the following copy will show:

State of Louisiana, parish of Orleans, city of New Orleans.—An inquest held in the city of New Orleans, parish of Orleans on the first day of January, in the year of our Lord 1869, before me, J. G. Roche, coroner of the said parish of Orleans, on the view of the dead body of Pelagie Brown (octoroon), a native of Louisiana, aged about forty years, then and there lying dead at the corner of Baronne and Union streets.

The jurors whose names are hereunto subscribed, having been duly charged deligently to inquire, on behalf of the State of Louisiana, how, when, and after what manner the said Pelagie Brown (octoroon) came to death, and upon their oaths do say, that this day the body of Pelagie Brown (octoroon), was found dead at the above described place, and after viewing the body of the said Pelagie Brown (octoroon), and after a post mortem examination had been held by William C. Nichols, M. D., city physician, we, the jurors, find that death was caused from taking arsenic, administered with her own hands, for the purpose of self-destruction. And we also find that no blame can be attached to any person or persons in consequence of said death.

In testimony whereof, the said coroner and jurors of this inquest have hereunto subscribed their names, the day and year aforesaid.

G. J. SCHNEIDER,
JOHN BONHOST,
JAMES COUGHLIN,
his
P. × GLASS,
mark
MICHAEL O'CONNOR, Jury.
J. G. ROCHE, Coroner.

P. P. Michael O'Connor, Deputy Coroner.

Whether Judge Cooley has got her skull, or someone else has got the whole of her alive and kicking, ought not to make much difference. She surely wouldn't be so unkind to the gentleman who did the best he could for her, officially, as to appear to contradict that document.

Circular of the State Auditor.

The State tax collector of the parish of Webster has addressed a letter to the Auditor, informing him that the taxpayers in his collection district are about to petition the Governor and Auditor for an extension of time for paying current taxes, and asks instructions from the Auditor for his guidance in certain cases. The reply of Auditor Clinton to Mr. Gruber is applicable to all collectors throughout the State.

STATE OF LOUISIANA,
Auditor's Office,
New Orleans, June 17, 1873.

Mr. E. B. Gruber, Tax Collector Parish of Webster:

DEAR SIR—In reply to yours of the twelfth instant, I would say that I have no power under the Governor to suspend the collection of taxes in relation to the collection of taxes where its requirements are clear. Its provisions are explicit, and you must follow it, taking care, however, not to give needless trouble or cause unnecessary expense to taxpayers. Your course in insisting upon the immediate payment by all who can pay, is fully approved by the office. You may exercise a reasonable discretion in the cases of those who are willing to pay, but you will see at a glance how the policy of so doing would be to discourage the prompt and full collection of the revenues is of the utmost importance to the individual taxpayer as well as to the State.

If the levy of this year is collected in full that of next year can be materially reduced; and so in an increasing ratio of each succeeding year. On the contrary, if a portion of the people can systematically avoid payment, an increasing burden is annually imposed on those who do pay. Thus the honest taxpayer not only pays for himself, but bears the penalty of his neighbor's default. If the revenue is sufficiently collected this year, the credit of the State will, notwithstanding the vicious legislation of the past four or five years, be fully restored within twelve months from this time. When this is accomplished the taxes can be greatly reduced, and this is the only road to solvency and permanent relief from the burdens which now weigh so heavily upon the people.

Very respectfully,
CHARLES CLINTON, Auditor.

A Practical Illustration.

We saw an incident yesterday which well illustrates the new era of good feeling which has begun since the publication of the resolutions adopted by the one hundred citizens. An ex-alderman, an old citizen and substantial merchant, was riding down Prytania street in his buggy, seated along side of his colored servant. On meeting an old friend who was walking up, he raised his hat, turned to his colored companion, and with a very expressive look threw his arms around him and gave him a hearty squeeze. This was as much as to say that he went in for the new movement. His friend on the sidewalk saw it and smiled his recognition, and proceeded in a contemplative mood.

VALUABLE IMPROVED AND VACANT REAL ESTATE AND COMMERCIAL PAVILION AT AUCTION BY THE SHERIFF.—Particular attention is called to the sales at auction to be made this day at noon, at the Merchants and Auctioneers' Exchange, Royal street, by the sheriff of the parish of Orleans. Said sales comprise:

1. Six lots of ground, with the buildings and improvements thereon, situated in the First District of this city, in the square bounded by Cypress street, Florida landing, now Julia, Galvez and Johnson streets, one of said lots forms the corner of Cypress and Galvez streets.

2. Two lots of ground, situated in Faubourg Bouligny, on Valence street, between Tchoupitoulas and Jersey streets.

3. Two lots of ground, with the buildings and improvements thereon, situated in the Second District of this city, at the corner Esplanade and Burgundy streets.

4. And the building known as the "Commercial Pavilion," situated at the corner of Levee and Poydras streets, First District.

For full particulars and terms see advertisements.

BY TELEGRAPH.

THE MURDER AT NEW IBERIA

ARREST OF THE MISCREANTS

CONFESSION OF ONE OF THEM

THE THREE OTHERS HANGED

[Special to the New Orleans Republican.]

NEW IBERIA, June 17, 1873.

Messrs. L. A. and Seymour R. Snaer started this morning from town on horseback in company with Deputy Sheriff Moss. Arriving at a point about five miles from New Iberia, and near the spot where the unfortunate Lanet and Snaer were murdered, they met a large assemblage of our citizens, white and colored, among whom were our oldest and wealthiest citizens, who were assembled for the purpose of taking some determinate steps for the apprehension of the murderers of those unfortunate gentlemen.

After some preliminary arrangements in the mode of procedure, Mr. Seymour R. Snaer, attorney at law, who came here yesterday expressly to see about this case, was chosen as the prosecuting attorney.

Suspicion rested on one Policot, whose hat and shirt were found with bloody spots on them. After close examination of about a dozen witnesses suspicion rested on three other men, who were immediately arrested. When Policot was brought to the stand and after a close examination he fully confessed that Martin Patterson, Orginie and Adrien, in connection with him, were the assassins. Although he denied having taken an active part, he confesses himself to have been an accessory before and after the fact.

He stated that this murder was planned by the above named parties a week or more before; that they came in the store fully prepared with strong sticks and a double barreled shot gun, all of which were hidden under a shed outside of the store; that they drank freely and paid for it; that one of them wanted to tell Snaer something in the ear; that as soon as Snaer bent his head he was struck by another party.

Snaer was stunned a little, but took an ax handle and returned the blow, but was too weak to effect much harm. He was repeatedly struck over the head. So was Lanet. Both of them fell, when Orginie jumped over the counter and cut their throats from ear to ear, and afterward dragged them to the barroom and sprinkled coal oil over their bodies and everywhere on the bedding. After robbing the contents of the safe and all valuables, fire was set and all consumed.

At this juncture the citizens began to be uncontrollable. At least 200 revolvers were drawn, and cries of "Shoot them!" were heard everywhere in the building. Mr. L. A. Snaer protested, as the Representative of this parish, against these summary proceedings. Mr. Seymour R. Snaer, the attorney, also protested, saying that he was sure that justice would be done if the prisoners were brought before the courts. But their protestations were to no avail. Seeing this they rode off in a quick gallop, not wishing to be present at the execution.

These parties are known to be of the worst character, and many crimes and robberies were committed by them lately.

After the departure of Mr. Snaer and his brother the prisoners were taken to town, and cries of "hang them" were heard everywhere. Mr. Seymour Snaer was called for by the people, whose number was at least 1000.

Mr. Snaer appealed to the people to spare the life of Policot, because he had promised him to do all he could to save his life if he would make a full confession.

After that the people took Martin, Orginie and Adrien across the bayou and hanged them to a tree. Policot's life was saved through the appeal of Mr. Snaer.

L.

THE MACKENZIE RAID

APPROVAL OF SHERIDAN AND SHERMAN

THE POLARIS INVESTIGATION

THE CONGRESSIONAL CONSCIENCE FUND

APPOINTMENTS FOR MISSISSIPPI

SLAVE TRADE IN NEW YORK

HINTS AT REPUDIATION

MORE INDICTMENTS AGAINST TWEED

O'KELLY ARRIVED IN SPAIN

THE NEW IBERIA MURDERERS

Cholera Spreading in Nashville

RACING INTELLIGENCE

CONTEST FOR A GOVERNORSHIP

MAIL ROBBER ARRESTED

[Associated Press Dispatches.]

WASHINGTON.

Colonel Mackenzie's Raid Indorsed by Generals Sheridan and Sherman—Congressional Conscience Fund—United States Depositary at Cincinnati Closed—Texas Volunteers—The Widow of Captain Hall—The President Will Return This Week—Appointments for Mississippi—Secretary Robeson's Report on the Polaris—The Tigress to Search for the Polaris—Release of Santanta and Big Tree Urged.

WASHINGTON, June 17.—The report of Mackenzie's exploit in Mexico bears the following indorsement from General Sheridan:

"I take pleasure in heartily approving the conduct of Colonel Mackenzie as a gallant act. The only course for the security of life and property on our side of the Rio Grande is to do as Colonel Mackenzie has done. I do not believe that any boundary should exist between the United States and Mexico when we are defending the lives of our citizens and protecting their property against merciless bands, to whom the name murderer, robber or thief applies in covering their deeds.

"The gallant act of Colonel Mackenzie is best recorded in his plain narrative of the event. I can only add that the government ought to stand by Mackenzie."

The report and Sheridan's indorsement were forwarded to General Sherman, and the latter indorsed it as follows:

"The conduct of Colonel Mackenzie is fully appreciated. If the attack was made on Mexican soil—as the report does not indicate—it is clearly the duty of the Mexican government to complain. Until then the War Department has no official knowledge that such is the fact, and need not take any action. It is my opinion that when a band of freebooters, murderers, robbers and outlaws make a recognized boundary between two nations at peace a safeguard for their crimes, there can be no just cause for dissensions if the lawful forces of either nation pursue them for the purpose of capturing them or ending their deeds of violence."

The total amount of back pay returned to the United States treasury is $192,021 34, and the number of Senators and Representatives who declined to receive it is forty-six.

The Treasury Department has issued an order closing the United States depositary at Cincinnati, and assigning all the business of that office to the assistant treasurer, William E. Davis, who recently qualified.

The Legislature of Texas, in view of the Mexican depredations on the border, has provided for employing a volunteer force for the purpose of protection.

Mrs. Hall, the widow of Captain Hall, who is still in Washington, did not come here to represent her needy condition to the Secretary of the Navy as has been stated, but to see the Esquimaux, Joe and Hannot, to learn from their lips the sad particulars of her husband's death. But in this she was disappointed, as they had been sent to Maine.

On his previous expeditions Mrs. Hall always confidently looked for his safe return, but on his last voyage she had a presentiment he would never come back.

The *Evening Star* says the following statement may be relied on as accurate: Captain Hall himself was sanguine not only of accomplishing glorious results in behalf of science and reaching the North Pole, but seemed confident of a safe return. He was especially pleased with the selection of Captain Buddington as his sailing master, and so expressed himself to many of his friends before his departure.

Captain Buddington was his old sailing master in 1860, and he seemed to have great confidence in his ability in the northern latitudes. He had manuscript sufficient to make several large volumes, and told his friends that when he returned he intended to settle down and devote several years to the careful preparation for publication of the data he had obtained in his various expeditions.

It may be mentioned as a matter of rumor, that while Captain Hall was pleased with the selection of Buddington, he disliked Tyson, the mate; but it does not appear, if such was the case, that he ever formally protested against his occupying an official position on the Polaris.

Leonard Myers, of Pennsylvania, had an interview with the Secretary of the Treasury to-day, with reference to the printing of the certificates of stock in connection with the Centennial anniversary to be held in 1876.

The President is expected to return to Washington some time during the present week.

Robert J. Falcon has been appointed United States marshal and Felix Brannigan, United States attorney, for the southern district of Mississippi.

Secretary Robeson has been hard at work all day preparing his report of the examination of the Polaris castaways. The report will not be ready for the press until to-morrow.

The Secretary of the Navy has leased the Tigress to perform a specific duty. When the department fully determined to search for the Polaris, it became evident that we had no vessel in our navy suitable for a trip to the Arctic regions. The Secretary decided first to purchase a suitable vessel, when he was met with the objection that there was no appropriation available for such a purpose.

Negotiations were then entered into with the owners of the English seal ship Tigress to lease her to the United States for a specified sum, not yet made public. The terms were accepted, and she is now en route to New York, where she is expected to arrive next Tuesday.

George W. Taylor, of Texas, has been appointed consul at Port Louis, Mauritius.

The Secretary of the Interior is in receipt of a copy of a letter addressed to James M. Harworth, Indian agent at Fort Sill, Indian Territory, by Thomas C. Battey, a teacher in the camp of the Kiowas, who urges the release of Sentanta and Big Tree. He relates numerous instances where the Kiowas have not only refused to join the Cheyennes in raids on the whites, but have actually prevented predatory excursions.

In conclusion, he says: "They often tell me that if the government does not return Santanta and Big Tree at or about the time specified by Beede in his council two months since, they can put no further confidence in the white man's word, and that they are waiting to see the fulfillment of that agreement before settling down; that if they are delivered up they will settle down, raise corn, send their children to school, and do just as their great father at Washington wants them to do, provided they have a schoolhouse away from the military post."

NEW YORK.

The Italian Slave Trade Thriving in New York—Southern State Bonds in Doubt—Raid by the Sanitary Police—Convention of Fire Insurance Agents Proposed—The Sharkey Case—Fifteen New Indictments Against Tweed and the Ring—From the Republic of Columbia—From Panama—From Bolivia.

NEW YORK, June 17.—A morning paper says at the present time there are between 7000 and 8000 children, kidnapped from Italy, held in slavery in the large cities of the United States, this being the great central depot.

Children are brought here and sold daily at private auction, the prices varying from $100 to $400 for boys, and from $100 to $500 for girls. Where girls are very pretty the prices run high.

Two little girls who together play their violins in Wall street are said to have been bought by their present owner for $1600. Since the first of April last 317 of these children have arrived at this port.

There were five sunstrokes yesterday, one of which proved fatal.

Arrived — Sundt, Wilmington, Bristol, Krow, Prince Frederick, Perrier and Rising Star. Arrived out—Celtic, City of Paris and Caledonia.

In Southern State bonds the only transaction at the board was the sale of $5000 Georgia sevens at 92½.

The talk about repudiation in several of the Southern States is hurting the securities of all of them about which there is an doubt of the interest payment.

The sanitary police were clearing out dwellers from the cellars in the fourth the to-day. The women are indignant, ward authorities are inexorable. ut the

The *Post* says, a meeting of the and agents of the fire insurance directors in this city is about to be held companies the expediency of assuming to consider risks in Boston. any further

Many companies here ha ined to do no business t e already deter- that the fire engines an ere on the ground insufficient. d water supply are

Two hundred an forty Mormons, who arrived from Eng d, left for Utah to-day.

Judge Benedic as overruled the demurrer made to t indictment of George F Dunning, for ezzling $115,000 from the sub-treasu the ground that it was drawn u epealed act of Congress The ' ' ld that both the act of 1823, and that of 1866 which supersedes it, covers the offense, being simply a difference in the penalties.

Only eleven jurors have yet been obtained in the Sharkey murder trial, and the second panel is exhausted.

John Brown has been indicted by the United States grand jury for passing counterfeit fifty cent currency.

Fifteen new indictments have been found to-day by the Oyer and Terminer grand jury against the late ring. Of these, six are against William M. Tweed.

A jury has been obtained in the Sharkey murder case.

A new indictment has been found against William Moffatt Graham, formerly State Senator, and president of the Walkill National Bank, charging him with embezzling $400,000 of the funds of the bank.

Late advices from Panama