NEW ORLEANS REPUBLICAN.

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VOLUME VIII—NO. 29. NEW ORLEANS, WEDNESDAY, MAY 13, 1874. WHOLE NUMBER 2180.

AMUSEMENTS.

GRUNEWALD HALL.

GRAND VOCAL AND INSTRUMENTAL

CONCERT,

Given by the Young Ladies of New Orleans, under the direction of Miss Octavie Romey, for the

BENEFIT OF THE SUFFERERS BY THE OVERFLOW,

On Thursday, May 21, 1874.

Performance on Twelve Pianos with forty-eight hands.

TICKETS $1; to be had at Mr. Grunewald's stores, Canal and Baronne streets; at Mr. Charpaux', and at all the principal stores in the city.

The hall and pianos are kindly furnished for the occasion by Mr. Grunewald. my10

MISCELLANEOUS.

NOTICE TO TAXPAYERS.

STATE AND CITY TAXES

For past years settled at LOWEST POSSIBLE RATES by

BARNETT & CAMMACK,
my10 1m Brokers, No. 12 Carondelet street.

PROPOSALS.....PROPOSALS.

OFFICE FIREMEN'S CHARITABLE ASSOCIATION, Room No. 8 City Hall, New Orleans, May 5, 1874.

SEALED PROPOSALS will be received at the office of the association for the next ten days for the building of 1427 feet picket fence in Greenwood Cemetery. Specifications on file in the office of the association. The committee on cemeteries reserve the right to reject any and all bids.

H. WAX, Chairman;
J. T. PETTIGREW,
JOHN MALLEY,
my6 10t Committee.

MINERAL WATERS ON DRAUGHT. ICE COLD AND PURE.

The following waters at FIVE CENTS a glass: VICHY, KISSENGEN, BITTER KISSENGEN, BLUELICK and BLADON WATERS.

R. HUBERWALD,
Druggist and Chemist, No. 165 Canal street, between Bourbon and Dauphine.
my3 Su W Sa 1m

CLOTHING AT COST!

CLOTHING AT COST!

Owing to the dullness of trade and scarcity of money, we are offering our immense wholesale stock of MEN'S, YOUTHS' and BOYS' SPRING and SUMMER CLOTHING and FURNISHING GOODS at RETAIL at COST and BELOW COST for CASH and CASH ONLY.

Wholesale buyers can purchase to their decided advantage on approved paper. Call and satisfy yourself. GARTHWAITE, LEWIS & MILLER, No. 100 Common street, opposite City Hotel.
ap19 1m

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.
mh15 1y

LOTTERIES.

SPLENDID SCHEME.

ONLY 10,000 NUMBERS.

LOUISIANA STATE SINGLE NUMBER LOTTERY,

Capital Prize.....$20,000.

LOUISIANA STATE LOTTERY COMPANY

(Incorporated August 17, 1868).

CLASS G,

To be drawn in public at New Orleans

On Saturday, May 30, 1874.

SCHEME.

10,000 Tickets.....Tickets only $10

Halves, Quarters and Eighths in proportion.

1 prize of $20,000 is		$20,000
1 prize of 10,000 is		10,000
1 prize of 5,000 is		5,000
40 prizes of 500 are		20,000
200 prizes of 100 are		20,000

APPROXIMATION PRIZES.

9 approximations of $300 each for the nine remaining units of the same ten of the number drawing the $20,000 prize are	2,700
9 approximations of $200 each for the nine remaining units of the same ten of the number drawing the $10,000 prize are	1,800
9 approximations of $100 each for the nine remaining units of the same ten of the number drawing the $5000 prize are	900
279 prizes, amounting to	$30,400

EXPLANATION OF APPROXIMATION PRIZES.

The nine remaining units of the same ten of the numbers drawing the first three full prizes will be entitled to the twenty-seven approximation prizes. For example: If ticket No. 1246 draws the $20,000 prize, those tickets numbered 1241, 1242, 1243, 1244, 1245, 1247, 1248, 1249 and 1250 will each be entitled to $300. If ticket No. 231 draws the $10,000 prize, those tickets numbered 232, 233, 234, 235, 236, 237, 238, 239 and 240 will each be entitled to $200. If ticket No. 450 draws the $5000 prize, those tickets numbered 441, 442, 443, 444, 445, 446, 447, 448 and 449 will be each entitled to $100.

Whole Tickets, $10; Halves, $5; Quarters, $2 50; Eighths, $1 25.

PRIZES PAYABLE IN FULL WITHOUT DEDUCTION.

Orders to be addressed to

LOUISIANA STATE LOTTERY COMPANY,
Lock Box No. 692, Postoffice,
New Orleans.

Send postoffice money order, or register your letter. ja2 1y

DRAWING OF THE LOUISIANA STATE LOTTERY FOR MAY 12, 1874.

CLASS 112.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
38	11	67	35	39	44	20	63	2	60	7	43	25	—

The above drawings are published in the principal papers, and are drawn in public daily at the rooms of the company.

Witness our hands at New Orleans, Louisiana, this twelfth day of May, 1874.

R. PERALTA,
ADAM GIFFEN,
Commissioners.

BEWARE OF BOGUS LOTTERIES ap12

AGRICULTURAL AND MECHANICAL COLLEGE OF THE STATE OF LOUISIANA.

University Buildings, corner of Common and Baronne Streets, New Orleans.

NOTICE TO CANDIDATES FOR ADMISSION.

By direction of the Committee on Instruction and Discipline, I shall be in attendance to examine candidates for admission into the above named institution, every morning, from ten to twelve o'clock, commencing on MONDAY, May 11, 1874. For the present the examinations will be conducted in the hall of the Academy of Sciences.

Under the provisions of the law, "to entitle pupils to admission into said college, they shall be residents in the State, of the age of at least twelve years, and be found competent in the branches of good English education, to enter upon the studies prescribed;" and "the course of instruction in said college shall include, as a leading object, the arts and sciences applicable to the progress and improvement of agriculture and the mechanic arts, not neglecting the literary branches of education."

It is particularly desired that pupils shall present themselves from all the country parishes of the State, as well as from the city of New Orleans.

JAMES BURNS, M. D.,
Professor, etc.
New Orleans, May 9, 1874. my10 2p

LETTER FROM GOVERNOR KELLOGG

The following letter has been addressed by Governor Kellogg to the editors of the *Picayune* and *Times:*

STATE OF LOUISIANA, Executive Department, New Orleans, May 11, 1874.

SIR—In an editorial article published in the *Times* of yesterday, headed "Political Troubles," the following paragraph occurs:

"In illustration of the necessity of prudence and of the mischief which a few men can produce, either in political or moral felony, we may point to the results of a miscalled executive clemency extended to fifty or sixty of our State Penitentiary convicts. Since their enlargement, burglary, robbery and arson have become almost nightly occurrences, and until they have again been retired by the solemn edict of society, no household in New Orleans can be considered safe."

There are erroneous assertions and inferences contained in this editorial which I think it my duty at once to refute; the more so as statements of a similar character, quite as erroneous in fact and apparently much more so in intention, have been extensively circulated of late by persons who, in order to make political capital, do not hesitate to malign the community in which their interests are or should be centered, regardless of the damage thus done to the material prosperity of the city. I do not object to criticism of my official acts, however severe that criticism may be; but since it seems that the reiteration of a libel is taken as a proof of fact, I feel it incumbent on me to publish the following explicit statement with regard to the alleged "carnival of crime," in connection with the exercise of the pardoning power by the executive. At the same time, I desire to add a few words of warning, which I trust will be carefully weighed and regarded.

There has been no such "carnival of crime" in the city of New Orleans for the last few months as is charged. I have caused careful inquiries to be made of the officials who have the records of crime in their possession, and am assured that, while there has been a small increase in one particular class of crime, offenses of a serious character have not been more frequent in the city of New Orleans during the last six weeks than during the corresponding period of previous years. Official reports and detailed statistics proving this fact will be furnished you for publication, if desired.

The truth is, that of late every criminal episode, whether trifling or serious, has been so magnified and distorted by sensational head lines in a portion of the newspaper press of this city, that a totally false impression has been created, both at home and abroad, with regard to the prevalence of crime in New Orleans. In some instances long accounts have been published of garrote roberies and other grave offenses which had no foundation in fact.

There has been no "avalanche of pardons" as has been asserted, and there is no proved connection between the crime existing and the pardons issued; but exactly the reverse. During the sixteen months I have held the office of Governor I have pardoned twenty-one criminals sentenced by the courts of New Orleans. A list of these offenders has been prepared, with the reasons given for their pardon, and the names of those who have recommended them to executive clemency. Two or three of these convicts have been rearrested by the police in the exercise of a wise discretion as vagrants, or for minor offenses, but none of them have been shown to be implicated in the graver crimes which have been so industriously blazoned abroad. In my judgment the sensational prominence given to police court items by some of the journals of the city has done more to cause an increase of crime than any "miscalled executive clemency."

I have reason to believe, though accurate data is not before me, that the number of criminals pardoned during the past year throughout the State was certainly not greater than the number similarly released in previous years. The greater prominence that has been given to the pardons lately issued arises from the fact that I have obeyed what I conceived to be the strict letter of the constitution, which seems to me to require that pardons of all criminals sentenced to the Penitentiary should be concurred in by the Senate. Accordingly, I laid before the Senate, at its last session, all pardons I had issued or proposed to issue, and all the facts were thus made public in the official journal. This had not been the general practice under previous administrations.

The list of persons alleged to have been pardoned by the present executive, which has been so much paraded, includes some pardoned by Governor Warmoth and Acting Governor Pinchback before my term of office commenced; some pardoned by Acting Governor Antoine during my absence from the State; three whose pardons were not concurred in by the Senate at all, and quite a number whose terms of sentence had expired, or nearly so, and who, their offenses not being such as to render them unfit to discharge the duties of citizenship, were pardoned in order that they might be restored to their civil rights after they had undergone the penalty which the law imposed upon them for their offenses.

It may be that in some instances executive clemency has been misapplied, though no effort has been made to prove that this is the case. Should such be the fact, however, I venture to assert that investigation will show it was precisely in those cases that the strongest representations were made by officers of the judiciary and by prominent responsible citizens to secure the executive pardon.

I am informed that certain designing persons, for sinister and selfish purposes, are attempting to make this pretended increase of crime a pretext for the organization of mob law, under the guise of vigilance committees.

This must not be. The courts are diligently working; convictions are more certainly and speedily secured than ever before; the juries drawn under the new law are the best New Orleans has ever had, and under the rule adopted by the executive, no pardons can be granted except when the Senate is in session. The police, though, in obedience to an imperative demand for municipal retrenchment, their force has been reduced in numbers, have shown themselves vigilant and efficient in a high degree, and fully competent to maintain order. Should a necessity arise, they will be reinforced by tried and experienced supernumeraries, who stand ready to again enter the service.

In case of any great emergency which, however, is not likely to arise, the services of citizens organized under the authorities will be gladly accepted, but no self-constituted committees will be permitted to patrol the streets or to attempt to administer the laws. The State authorities are fully aware that the exaggerated statements which have given rise to much of the popular feeling on this subject originate mainly with a number of designing men whose object is to bring the State government into disrepute, and promote disturbances—men who have nothing to lose and much that they hope to gain, care not how far the material interests and good fame of the city or State may suffer provided their own selfish interests are subserved. These are the same men who, on former occasions, have been prominent in bringing about a resort to violence, and who, after urging their dupes into active, armed resistance to the law, themselves slunk away into places of safety. Upon these men, now known to the authorities and vigilantly watched, a swift and long merited punishment will be visited, in the event of any disturbance of the public peace being brought about by their machinations.

The day for riots and public disorders in New Orleans has passed, never, I trust, to return. Respectfully, etc.,

WILLIAM P. KELLOGG.

The following letter has been received by the Governor from Police Superintendent Badger:

SUPERINTENDENT'S OFFICE, Metropolitan Police, New Orleans, May 12, 1874.

To his Excellency William P. Kellogg, Governor of Louisiana:

SIR—In pursuance with your request, I have the honor to transmit herewith a report compiled from the records of this office, exhibiting the number of murders, burglaries, larcenies, etc., for the month ending May 12, 1874, also for a corresponding period in 1873 and 1872.

The report shows the total as follows: Thirty-two for 1872, forty-six for 1873 and forty-two for 1874, from which it appears that the aggregate number of offenses of a serious nature is no greater than usual at this season of the year, although the police force has recently been considerably reduced. An act of the Legislature passed last session, limiting the expenditure for police purposes to $600,000 per annum, necessitated a reduction of the force some 125 men. Of course the diminished number of men required an extension of the beats and gave each patrolman a larger area of territory to patrol, yet I consider the present number of policemen sufficient to afford proper protection to life and property. In addition to the regular force there are some 200 supernumeraries available for emergencies. These supernumeraries at present only perform duty in the absence of regular men, but should actual necessity arise the entire number may be placed upon regular patrol duty. Very respectfully your obedient servant,

A. S. BADGER,
Superintendent Metropolitan Police.

At Lyceum Hall.

Lyceum Hall was well filled last night by an audience gathered to listen to the lecture delivered by J. R. G. Pitkin, Esq., under the auspices of the Joseph A. Mower Post, Grand Army of the Republic. As previously announced, the theme of the lecturer was "Admiral David Glascoe Farragut," and of that lamented naval hero the speaker discoursed eloquently and feelingly for an hour. His lecture or oration was instructive in facts and adorned with poetical fancies. He gave a brief detailed account of the nation's hero from his infancy, and from entry into service as the child midshipman, through a long and honorable career in his profession, until with a nation's gratitude he was made Admiral, and won for himself undying fame in American history. Mr. Pitkin's subject was to him a happy one. In all of the Admiral's long career of usefulness his life was noble and blameless. Of such a man it is easy to speak well. Of the events of his life occurring in Mobile bay and at New Orleans the remarks of the speaker were well timed and judicious, and he but echoed the sentiments of his hearers when he said this city should contain a statue of Farragut, as well as that of Jackson.

Mr. Pitkin was attentively listened to throughout his discourse and was frequently applauded. The proceeds of this lecture are to be devoted toward the erection of the soldiers' monument at Chalmette. It was words fitly spoken, of a noble man and for a good cause.

Relief.

The following contributions were received at the Mayor's office May 12, 1874:

Citizens of Marshal, Texas, second installment, through Messrs. Ragnet & Fry, bankers, through Messrs. Clapp Brothers & Co	$22 00
Catholic Congregation of St. Michael, parish of St. James, through F. P. Poche, Esq.	100 00
Portland, Maine, through George F. Wescott, mayor, third installment	225 00
Hostetter & Smith, Pittsburg, Pennsylvania, through J. T. Moore & Co	250 00
Excursion of steamer Empire, net proceeds, through J. J. Fernandez, president Empire Parish Packet Company	163 65
Colored Sunday School First Congregational Church, corner of Camp and Calliope streets, giving up their annual picnic, donating expenses	21 10
Rev. E. W. Hooker, of Fort Atkinson, Wisconsin, through Rev. Mr. Hooker, of New Orleans	5 00
Thomas G. Brown and other jewelers, watch importers and silverware manufacturers, of New York, through E. A. Tyler, New Orleans	500 00
R. F. E., Franklin, Kentucky	5 00
Archie Smith, Roswell, Georgia, through Southwestern Presbyterian	7 50
Shakespeare Club, net proceeds of entertainment at Globe Theatre, evening of the fifth instant, through W. I. Hodgsen, chairman of the committee	926 05
F. W. Devoe & Co., of New York, through Stauffer, Macready & Co., New Orleans	100 00
Total	$2269 70

Total contributions to date, May 12, 1874, $103,056 65.

Counselor McGloin and the Arrest of Schmattlack.

NEW ORLEANS, May 12, 1874.

EDITOR REPUBLICAN:

There is an error in your account of the arrest of Mr. August Schmattlack, where the advice which caused him to resist the police is assigned to me. He was mistaken, as I gave him no such counsel, although I think the police should select the daytime to make arrests for minor offenses, such as that charged against Mr. Schmattlack. I trust this correction will be made and place me right in the matter.

Yours, etc., FRANK McGLOIN, Attorney at Law.

We are glad to be assured by Mr. McGloin that his client misrepresented him in the above matter. As to the time of making the arrest, we agree with the counselor that the day is the best where practicable. But warrants generally read "forthwith," and the one in question was probably served as soon as it was placed in the officer's hands. Were a prisoner to escape through the delay of the officer there would be just ground for censure.

Competitive Examination.

Superintendent Boothby announces that an examination will be held of those who desire to compete for appointments as teachers in the public schools, under the direction of the committee on teachers, commencing next Wednesday, at the Central High School building, on Burgundy street. Those desiring to enter the lists will leave their names with Superintendent Boothby, at his office, prior to that day. It will be remembered an examination of this character was had about a year ago. Sixty candidates were accepted. Of this number about forty-five have been provided for in the schools.

Berlin School.

An exhibition, consisting of musical exercises and tableaux, was held by the pupils of the Berlin School last evening at the City Hall, Sixth District. The proceeds of the entertainment are to be devoted to the relief of the sufferers by the overflow. The attendance was quite large, and the performance gave universal satisfaction. Particular mention may be made of the tableaux which were artistically conceived and most happily presented. The evening's entertainment was agreeably diversified by some fine declamations and very well spoken dialogues. Altogether, the affair was most enjoyable, and Mrs. A. M. Nahar, the principal, and her assistants and pupils deserve much praise for their able efforts in so worthy a cause.

COURT RECORD.

TUESDAY, MAY 12, 1874.

Superior District Court.

Kendig & Co. vs. city of New Orleans.—The answer of the defendant admits the establishment of landings for steamboats, etc., but claims that the city has the right to resume possession, that it has no power by ordinance to deprive itself of the right, that plaintiff has no right to interfere with improvements, that the ordinance granting permission to erect scales has been repealed by No. 2248 Administration series, and claims damages of $2500.

Superior Criminal Court.

State vs. Don Carlos Pie, A. S. Badger, J. J. Pearson and Robert Harris.—Indictments for robbery, larceny, assault and battery and false imprisonment. Bail fixed at $20,000 for principal charge, and $500 for the minor offenses.

State vs. Charles Clinton—False imprisonment and assault and battery. Transferred from First District Court.

First District Court.

PLEADED GUILTY.

Petty larceny—Joseph Hall.

INFORMATIONS FILED.

Petty larceny—Fred. Kiffer, Mrs. Alfred Mayfield, Moses Gustave.

Assault and battery—Mary Jones.

NOLLE PROSEQUI ENTERED.

Assault and battery—Mrs. Cusick.

ACQUITTED.

Knowingly receiving stolen goods—George K. Johnson.

Assault and battery—Joseph Parmion.

Wounding less than mayhem—Lavinia Wilson, Felix Green.

SENTENCES.

Charles Williams, John Harper and John Hurley, two years in Boys' House of Refuge.

Peter Williams, larceny—Six months in the Penitentiary.

Second District Court.

Successions of John G. Cocks and Robert O. Butler opened.

Fourth District Court.

J. F. Clermont vs. J. O'Neal.—Action under the civil rights bill. The following is the jury:

Morris Gutman, Isaac Bloom, Albert G. Phelps, C. B. Augustus, Jesse S. Flower, Leon Queyrouze, H. Shepard, Louis Cavelier, Edwin Belknap, Augustus Raynal, Charles Donnolly, Mike Lardner.

After deliberating all night they declared themselves unable to agree and were discharged.

John Lewis vs. Hugh McClosky.—Civil rights case. Panel exhausted, no jurors being obtained, and new venue ordered.

Fifth District Court.

Judge Cullom rendered the following decision:

Robert Johnson vs. Thomas Lee.—November 25, 1872, these parties made a wager on a horse race, on a written agreement, of $250 a side. On the same day they made a verbal one of $250, and the stakes were put up. A third bet of $300 was made, the plaintiff putting up his grey horse as security. The race was to occur November 27, but not waiting for that they run their horses November 25. The judge decided the $300 stake in favor of Johnson. On the twenty-seventh Johnson went to the track, and, a judge being appointed, drove his horse around the track, and Lee not appearing, half the wager, $125, was declared forfeited to Johnson, who sues for these sums and expenses. $14, amounting to $439. Lee alleges unfairness in the conduct of the races, incapacity on that day to make the contract, and that his horse on that day was epizootic. He asks for a return of the $250 staked, and $100 attorney's fee.

The case, involved with other matters, was decided by the Sixth District Court against the plaintiff, April 4, 1874. With a few exceptions there is no action to recover money won at gaming. C. C. 2983-34. Courts generally treat such contracts with disfavor; 3 and 9 Vic. ch. 109 sec. 13; Perkins vs. Eaton, N. H., 152; Burns vs. Ricker, 4 John 426; Wheeler vs. Spencer, 15 Conn. 28; McAllister vs. Gallihet 2 Penn. 463; McAllister vs. Hoffman, 10 S. and R. 147. As to what is excessive under the code, see St. Ceran vs. Sherman, 19 A. 192; Grayson vs. Whatley, 15 A. 525. The Sixth District Court seems to have considered so. I think the power to reject the claim as such does not include the power to reduce the amount. The law permits such contracts by not prohibiting them.

The court will enforce them so far as it is not abusive of public policy. Counsel argued that the statute referred to the improvement of the horse. It does not seem to be a legitimate inference. The horse has been improved by pains and training. Yoast on the Horse 25, 49; but the object of the law is not met by the enforcement of such contracts. The race appears to have been conducted according to rule. Hoyle on Games, 244. The evidence shows Lee was under the influence of liquor, and did not exercise the prudence the courts will require in such case. He was not under such self-control as to care for consequences. Johnson should not have accepted the bets. They were excessive, under the ruling of the Supreme Court, for a man of Lee's pecuniary abilities. They amount to one-third of what he was worth. Judgment for defendant, his reconventional demand being dismissed, the costs to be divided.

The following petitions were filed:

Charles Clinton, State Auditor, vs. D. C. Byerly, Alexander Walker and Page M. Baker.—Petitioner alleges defendants have maliciously and falsely libeled him by publishing, April 29, an article, "How Injunctions Can Be Removed," and on the seventh of May repeated the false charges, and also further falsely charged that he had paid illegal vouchers, and was guilty of corruption, for which he claims damages of $10,000.

Charles Clinton vs. A. P. Field.—Petitioner sets forth his office of Auditor, and duties under the law; that these duties are exclusive; that defendant, as Attorney General, knowing that he was obstructing the duties of an officer of a co-ordinate branch of the government, did go into the Superior District Court, calling himself the State of Louisiana, and obtain an injunction against plaintiff and Antoine Dubuclet, preventing them from exercising their functions in settling claims under the appropriation bill; that the Attorney General had no right to institute such suit, and thus wrest the office from plaintiff and constitute himself the Auditor; that he desired to obey the writ till its illegality was established, and obtained the opinions of the Attorney General at several times; that the opinions were foolish and contradictory or maliciously contrived to mislead plaintiff, and he was put in danger of loss of liberty and property; that defendant prosecuted him for a contempt in consequence of accepting the advice given by him in paying the claim of Mortimer Smith; that defendant advised that the claim be paid; that plaintiff issued warrants according to law; that on the rule to show cause he was not allowed to prove his cause by counsel or witnesses, and was disgraced by a fine of $20; that plaintiff was again brought before the court, April 22, for issuing warrants to Generes, Mott and others; that by these acts defendant was guilty of malfeasance in office and caused damage to plaintiff to the amount of $5000.

Alexander Walker vs. Charles Clinton, Isaac N. Stoutmeyer and Charles S. Rice.—Petitioner alleges that he has always been a good citizen, and has established a character that is of value to him as a journalist; that defendants, by causing a publication in the Bulletin of a malicious prosecution and writing, filed in this court, have endeavored to defame and malign him; that he had no knowledge of the article complained of in the case of Clinton vs. Byerly, and claims damages in the sum of $25,000.

Sixth District Court.

J. Lefevre and Joseph Garcia, petitioners for a writ of habeas corpus, they having been confined for violation of the lottery act. Decision reserved, the prisoners being at liberty in the meantime.

Ought to Be Barred Out.

In our telegraphic columns to-day appears the announcement that General Sherman and others have gone to Harrisburg "to exult over the exploits of the Army of the Potomac." We do not know whether the agent who sent that dispatch wishes to insult the Southern soldiery or whether he seeks to fling contempt upon those who fought and overcame the brave men of the South. If he sent the telegram with a view to perpetuate sectional discord by making light of the national victory, he has gone wide of the mark. For it would be a poor compliment to the men that were vanquished to belittle those who forced them to lay down their arms, and it would be equally stupid to assume that the men who so long kept the armies of the nation at bay were only fit to be *exulted* over and serve to display the *exploits* of their opponents. Such stuff as this agent sends is sickening, and we print it merely to show in what manner the Associated Press are accustomed to manipulate the telegraph in the interest of certain political cliques and to maintain sectional prejudices.

NEW COTTAGE AND CHOICE COMMERCIAL BUILDING SITES NEAR THE SECOND STREET MARKET.—Our readers are particularly referred to the sale of a beautiful new double cottage residence, on Second street, and seven choice lots for stores, etc., all adjoining the new Second Street Market, to be sold to-morrow (Thursday), by Messrs. Nash & Hodgson, auctioneers, on long credit.

This market is gaining popularity every day, and the properties sold should command the attention of enterprising men. See the advertisement and the plans at the place of sale.

BY TELEGRAPH.

CONGRESS.

Senate.

WASHINGTON, May 12.—The bill authorizing Massachusetts to import and hold works of art for two years free of duty, passed.

Mr Scott introduced a bill supplementary to the bill incorporating the Texas Pacific railroad.

The Military Committee reported a bill for the protection of the Texas frontier.

The Geneva award bill passed; insurance companies have no share of the spoils.

Mr. Clayton offered a bill for the appointment of a committee of three Senators, to proceed to Arkansas and investigate the cause of the disturbances there.

Bill laid over.

House.

Most of the day was spent on a bill to amend the steamboat law.

A resolution to send a special committee to Arkansas was offered, but being objected to, was not received.

WASHINGTON.

Army Reunion.

WASHINGTON, May 12.—Secretaries Robeson and Belknap, General Sherman and several army officers have gone to Harrisburg to exult over the exploits of the army of the Potomac. The Arkansas imbroglio detained the President here.

Papers by the Pound.

The Postoffice Committee of the House have agreed upon a bill for the prepayment of papers and printed matter by the pound.

Nominations.

Philip Clayton, of Georgia, consul to Callao; John C. Abbott, collector of customs at Wilmington.

Judge Lawrence's Report.

Judge Lawrence, chairman of the Committee on War Claims, who as a sub-committee has recently had under consideration the question as to whether the government could take without compensation the property of citizens in the lately rebellious States, after August 20, 1866, when the war was proclaimed closed, will report to the committee to-morrow in the negative, and that the government is in honor bound to pay for the use of any property appropriated by the military authorities without reference to the previous political status of the person whose property was thus seized.

The Virginia Tobacco Men Want Licorice, Sugar and Sweet Oil Duty Free.

There was a partial hearing of the Virginia tobacco committee, composed of W. P. Barwell, of Richmond, and Messrs. McGill and Williamson, of Petersburg, before the special Committee of Ways and Means to-day, asking that licorice, sugar, sweet oil and other essential ingredients of manufactured tobacco be allowed to enter the manufactories free of tariff duties under bond. Mr. Barwell advocated this, on the ground that it would greatly increase the American and foreign trade in manufactured tobacco, and while the treasury might lose $750,000 in the remission of these duties, he contended that it would more than double the export in this article, which at the average rate of the tariff, thirty-eight per cent, would put more than $1,200,000 back in the treasury.

A further hearing of the Virginia delegation will be before a fuller committee next week, when an opportunity will be given those opposed to the measure to be heard at the same time.

The Geneva Award.

The Geneva award bill, which authorizes the appointment of a special commission or court to adjudicate claims and distribute the award made by the Geneva tribunal, passed with but two amendments, one of which directs that claims be settled upon a basis of United States gold coin at the time of the loss of the vessel; the other authorizes the Secretary of the Treasury to pay judgments in coin and directs him to issue and sell bonds to raise the necessary means, such bonds to be redeemable at the pleasure of the government after ten years. The amendment to strike out the provision excluding the claims of insurance companies was rejected.

Scott's Texas Pacific Railroad Bill.

The substitute reported by Scott, from the Senate Committee on Railroads, for the bill relating to the Texas and Pacific railroad, introduced by him on the twenty-third ultimo, proposes to empower the Texas and Pacific railroad to secure by one or more mortgages upon the whole or any portion of its line the construction bonds heretofore authorized to be issued, and to cancel the mortgage now on record with the Secretary of the Interior, so far as the same can be done without prejudice to existing rights and to substitute therefor the mortgage or mortgages hereby authorized, which substitute mortgages shall expressly reserve all right which may have been acquired under the existing mortgage, provided that the aggregate of the said bonds to be issued under and secured by said mortgage or mortgages shall not exceed the limit heretofore fixed by Congress, and said mortgages for the division east of Fort Worth shall embrace the roads and property of the Southern Transcontinental Railway Company, heretofore merged and consolidated with said Texas Pacific Railway Company, under the laws of Texas, and which roads so merged shall for that and for all other purposes be declared and taken to be a part of said Texas and Pacific railroad, and shall hereafter be subject to all the provisions and limitations of the act of Congress incorporating said company, and of the supplement thereto.

Professor Forshey's Collections.

Five hundred dollars more is remitted by Professor Forshey, collected from the citizens of Washington for the sufferers by the flood.

ARKANSAS.

Another Skirmish—Action of the Regulars.

NEW YORK, May 12.—Little Rock specials contain the following items:

The regulars yesterday took all the arms at the arsenal to pieces to prevent either Brooks or Baxter's people from using them. The raft with arms from up the river arrived safely.

There was great excitement yesterday morning in Little Rock during the skirmish across the river. Colonel White, of Baxter's force, was wounded in the leg. After skirmishing for some two hours, a company of regulars crossed the river and stopped both parties, releasing a train of cars which Baxter's men just then had seized. Four Baxter men reported killed; two Brooks men killed and two wounded.

The clerk of the Circuit Court swore in the members of the Legislature.

The regulars have thrown up another barricade across Markham street.

Colonel Rose has telegraphed to General Sherman for a company of regular cavalry.

Brooks' Action Has Prejudiced His Case.

WASHINGTON, May 12.—The *Star* says a dispatch has been received from Brooks in response to the telegram from the President sent to him last night, declining to accede to the terms proposed. The telegram was the subject of some discussion at the Cabinet meeting to-day, and it may be that the President will feel called upon to decide definitely some time to-day, in the contest.

The refusal of Brooks to accede to the request made by the President, in the interests of peace, will very likely lessen the communication with that party, and it appears very probable that the next advices from here may be sent to the United States forces at Little Rock, containing the decision of the government, and asking that all parties shall be made to respect it.

The President Will Not Delay Action Longer.

It is known the administration was reluctant or indisposed to interfere by force of arms in the Arkansas trouble, and therefore sought to restore peace in that State by mild, yet earnest appeals to the parties immediately interested. Baxter's proposition as to the adjournment of the Legislature called for yesterday until Brook's adherents should be present, together with the conditions annexed, was so fair and reasonable, in the opinion of the President, that the Attorney General informed him that his interests required an immediate acceptance of it.

A remark was made in an executive quarter to day that Brooks could not have seen the significance of the intimation. The rejection of the proposition has certainly damaged his cause in official circles—a fact which perhaps he will soon realize.

The government believes that the Legislature should assemble free from armed and all other menace, or restraint from either side, and that the proposition of Mr. Baxter if it had been accepted by Mr. Brooks, would have opened the way for a peaceful solution of the pending questions.

Final action on the part of the government will not be delayed for more than a day or two, when means will be employed to protect the people from the dangers in which they are now involved, without partiality toward either of the contesting factions, or the rival Governors, by whom the feud was initiated. The President, to-night, expressed himself with much earnestness against those stimulating bloodshed, and throwing the entire State of Arkansas into anarchy, and he was equally earnest in saying that he would not delay much longer in coming to a decision in the premises.

Brooks' Letter to the President.

The following dispatch was received this morning:

LITTLE ROCK, Ark., May 11, 1874.

To U. S. Grant, President:

On the ninth of May the Attorney General submitted to me a proposition that he said had your approval. On the tenth I accepted the same out of deference to your wishes, feeling that in doing so I was humiliating myself and the courts of the State. This I did solely in the interests of peace, supposing that Baxter would be required to assent to your proposed plan of settlement.

In accordance with the proposition of the Attorney General I issued a proclamation convening the Legislature on the fourth Monday of the present month. To my surprise Baxter has declined to submit the question of his election to the Legislature. In conversation with the members thereof, he boldly proclaims that he does not and will not permit an investigation of his right to the office. Yet you ask me to recognize the call of the Legislature at the instance of one who declares the question at issue, and for which you insist on its being assembled, shall not be settled by the tribunal you desire convened. The attempted organization made to-day failed, although persons were sworn in as members from districts in which no vacancies had been declared. Both houses of the Legislature now have a quorum in existence. This quorum should pass upon the election returns and qualifications of the newly elected members, instead of the newly elected members themselves. This action I can not, and will not, willingly submit to. Section one, article four, of the constitution of the United States, declares that full faith and credit shall be given to the judicial proceedings of every State; and if, in the face of the decision of the Supreme and Circuit Courts of the State, deciding that I am, and recognizing me as, the legal Governor, you can recognize Mr. Baxter as Governor, it is your duty to respond to his application for federal help. If you can not it is your duty to assist me to suppress the present domestic violence. To disband my troops at this time under no other assurance than is contained in your telegram of to-day, would result not only in the assassination of the judges of the Supreme Court, but of many of my friends, and especially the colored men, who have been guilty of no crime save fidelity to law and order.

I shall hold my troops together for the purpose of protecting the citizens of the State who believe the expression of the will of the people at the ballot box should be enforced, and for the protection of those who stand by the constitution, laws and the adjudication of the courts of the country. Federal bayonets can put Baxter's Legislature in the State House, but I am ignorant of the clause of the constitution under which the President has this power. Nothing else will, and when there I doubt if you can compel them to determine who is the Governor.

It is time that this agony, doubt and uncertainty was over; the interests of humanity demand it shall be settled, and if you have the power under the constitution and laws of the United States to settle the question of who is the Governor of Arkansas, adverse to the decision of the courts of the State, settle it, and settle it at once. I shall not resist what you may order United States troops to do, but shall, with all the powers at my command, repel any and all attempts by Baxter's forces to take possession of the State House.

I am confident that a legal quorum of the Legislature will not respond to Baxter's call, and I shall not assent, nor be a party to convening the Legislature, or to any other agreement than that submitted by yourself through the Attorney General on the ninth instant.

JOSEPH BROOKS,
Governor of Arkansas.

The Fight at Little Rock—The Regulars Put a Stop to It.

LITTLE ROCK, May 12.—About 3 P. M. the Brooksites moved a company of infantry out to the rear of the Cairo and Fulton railroad depot with a view to stopping some recruits coming to Baxter from the South. Soon after this General White moved out with taree companys of infantry and one company of cavalry to drive in the Brooksites. He encountered them in the rear of the penitentiary, and after sharp firing drove them into the building.

About this time 200 reinforcements were started to the Brooksites. The Baxterites observed this movement, and General Blocker was sent with two companies of infantry to reinforce White. He marched up Scott street to Fifth, up Fifth to Arch, where he encountered a company of Brooksites, and after a sharp fight drove them back to their main body. Then falling back two squares himself, was reinforced by two more companies. About this time a company of federal troops was marched between the opposing parties, and the fight stopped, both forces returning to their quarters.

White lost one horse killed and one man slightly wounded. Blocker had two men wounded. It is reported that the Brooksites lost eight killed and wounded. Major Graves, of the Brooksites, was captured by the Baxter party. The affray was witnessed by a multitude of excited spectators from the housetops.

Brooks Still at the State House.

Brooks still occupies the State House and surroundings. Whether he intends to vacate or not, under the President's instructions, is not known.

Meeting of the Legislature.

Both houses met this morning at the Ditter building. There were eleven Senators and forty Representatives present—lacking three of a quorum, one in the Senate and two in the House. It is generally conceded there will be a quorum in both houses tomorrow. The Baxter men are jubilant at the idea of Brooks having to vacate the State House.

The Latest.

Since the skirmish to-day matters have been rather quiet. Two pieces of artillery and several companies of recruits are expected to-night to reinforce Baxter. Baxter received a telegram from the President to-day asking if Brooks' party were preventing the Legislature from assembling.

Baxter replied in the affirmative; that but for the stoppage of trains by Brooks' forces, there would have been a quorum the first day. Brooks still occupies the State House, although it was reported to-night he was moving out the records.

No business houses have been opened to-day, and the city is full of armed men.

FOREIGN.

Fire in Paris.

PARIS, May 12.—A large fire occurred in the Bastile quarter to-night, by which several persons were burned to death and 200 rendered homeless.

The National Assembly.

The National Assembly met to-day. There was no message from the President.

Mr. Buffet, president of the Assembly, read a letter from M. Picou, deputy from the department of Alps Maritimes, making on explanation in relation to a speech lately delivered by him in favor of a separation of that department from France, and resigning his seat in the Assembly. The resignation was accepted.

Officers of the bureaux of the Assembly will be elected to-morrow.

Famine.

CONSTANTINOPLE, May 12.—There is no ab