NEW ORLEANS REPUBLICAN.

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VOLUME IX.—NO. 40 NEW ORLEANS, WEDNESDAY, MAY 26, 1875. WHOLE NUMBER 2501.

AMUSEMENTS.

THE THIRD ANNUAL PICNIC
OF THE
ST. ANDREW SCHOOLS,
Which was to have taken place at the City Park, will be given on THURSDAY, May 27, at the FAIR GROUNDS.
Very respectfully,
my25 3t TEACHERS.

BANKS AND BANKING.

CITIZENS' SAVINGS BANK,
(A bank for small savings),
GRUNEWALD HALL,
Pays six per cent interest; pays deposits on demand, and conducts business on the most liberal principles consistent with depositors' interests. Examination is invited to its management and financial condition.
J. L. GUBERNATOR, President.
M. BENZE, Cashier. ap20 1y

NEW ORLEANS SAVINGS INSTITUTION, No. 158 Canal street. Trustees—Dr. W. Newton Mercer, L. F. Generes, David Urquhart, George Jones, John G. Gaines, Thomas A. Adams, Carl Kohn, Thomas Allen Clark, Christian Schneider, Charles J. Leeds, Samuel Jamison.
Interest Allowed on Deposits.
L. F. GENERES, President.
CHARLES EITNSHAW, Treasurer. ap18 1y

LOUISIANA SAVINGS BANK
AND
SAFE DEPOSIT COMPANY,
No. 51 Camp Street.
CAPITAL.....$500,000.
S. C. PALMER, President.
JAMES JACKSON, Vice President
Directors:
S. CONERY, SEID. WING,
J. H. KELLAR, W. H. THOMAS,
DAVID WALLACE, JAMES JACKSON,
E. C. PALMER.
Its capital gives security to depositors. Deposits of Fifty Cents and upward received, and SIX PER CENT INTEREST allowed.
jy7 1y JOHN S. WALTON, Cashier.

BUSINESS CHANGES.

NOTICE.—OFFICE MERCHANTS' STEAMBOAT Company, Brownsville, Texas April 26, 1875.—By mutual consent of the parties concerned, Captain H. K. HAZZETT has this day withdrawn from his partnership in the Merchants' Steamboat Company of Brownsville, Texas, and has no further interest in said company, or in the steamboats Jessie and Andrew Ackley. The undersigned is alone authorized to contract obligations for the company and steamboats above named.
WILLIAM KELLY,
Manager Merchants' Steamboat Company.
my13 1m

NOTICE.—THE COPARTNERSHIP HERETOfore existing in this city between the undersigned, under the name of J. SCIACCALUGA & CO., has been dissolved by mutual consent since the thirty-first December (last), 1874, as per act passed this day before O. Dronet, Esq., notary, and the business of the house will be continued by J. Sciaccaluga, individually.
New Orleans, May 17, 1875.
G. SCIACCALUGA,
my18 23 27 H. R. PICCALUGA.

NOTICE.....NOTICE.
Mr. W. F. PIPPEY being associated in business with us, the style of our firm from and after this date will be HEATH, PIPPEY & LARA.
Respectfully, HEATH & LARA.
Referring to the above, we beg to express to our patrons our grateful appreciation of their past favors, and respectfully solicit a continuance of the same.
Our stock is large and carefully selected, and comprises UPHOLSTERY GOODS of all kinds, WALL PAPER in great variety, WINDOW SHADES and CORNICES, LACE CURTAINS and CURTAIN MATERIALS, CANTON AND COCOA MATTING, and FLOOR OIL CLOTHS, FRENCH AND GERMAN MIRRORS, CHROMOS, ENGRAVINGS, PICTURE FRAMES, and MOULDINGS of all kinds.
These goods have been purchased at the LOWEST CASH PRICES, which enables us to offer great inducements to those in need of goods in our line.
HEATH, PIPPEY & LARA,
97 and 99.....Camp Street.....97 and 99
my2 1m

HOTELS AND RESTAURANTS

CAMOR'S OYSTER SALOON
AND
RESTAURANT.
23.....St. Charles Street.....23
Between Canal and Common streets.
LEON LAMOTHE & FAUCON, Proprietors.
French Restaurant up stairs. Board by the week or month at reasonable prices. my3 1m

BOSSELL HOUSE,
BILOXI, MISSISSIPPI,
Will reopen on May 1, 1875, for the reception o guests, having been newly furnished throughout.
Charges moderate.
mh13 6m PETER J. MONTROSS, Proprietor.

REMEMBER
When you go to Biloxi don't forget to call at
THE PRESS SALOON,
as Harry wishes to see you all.
P. J. MONTROSS,
mh13 6m Proprietor.

FOR SALE.

FOR SALE.—A YOUNG HORSE, SIX YEARS old; fine trotter; afraid of nothing; suitable for a family or doctor's use. Address box No. 497.
my7

CAUTION.

CAUTION.—CERTIFICATE NO. 125, FOR 100 shares of stock, issued June 19, 1854, by the Mechanics and Traders' Bank, to Francois Roumien, having been lost, all parties are hereby cautioned against trading for the same, as application has been made for the issue of a new certificate.
New Orleans, May 18, 1875. my20 27 je3 10 17 24

LOST.

$5 REWARD—PAPERS LOST.—LOST ON the corner of Baronne and Union, or in car No. 41, or on the corner of St. Charles and Seventh streets, at 4 P. M. May 25, a lot of legal papers, which slipped from a large envelope. They are worthless to the finder, who will receive $5 on delivering them to Walter Scott, at Mullan & Halloway's, No. 52 Canal street.
my26 THOMAS J. FINNEY.

LOST OR MISLAID.—THE FOLLOWING warrants and vouchers have been lost or mislaid. As payment has been stopped, the finder will please return to the undersigned: One warrant on the State Treasurer of Louisiana, No. 461, new series, 1874, dated January 16, 1875, for $10,000; one warrant on the State Treasurer of Louisiana, No. 542, new series, 1874, dated January 22, 1875, for $650; one voucher on the Auditor of Public Accounts, dated April 7, 1875, for $10,000, all drawn to the order of Daniel Edwards, treasurer of Louisiana State Agricultural and Mechanical College, and not indorsed. DANIEL EDWARDS.
Corner Gravier and Front streets.
New Orleans, May 3, 1875. my5 1m

INSURANCE.

TWENTY-FIFTH ANNUAL
STATEMENT
OF THE
CRESCENT MUTUAL INSURANCE COMPANY.
May 23, 1874.

Total gross premiums for year ending April 30, 1874	$400,594 96
Earned premiums, less reinsurance and return premiums	219,533 63
Less losses paid and estimated	$156,266 99
Less taxes, discount in lieu of participation, interest on capital, less discount, etc.	100,564 03—356,831 07
Net profits	$62,702 46
Total gross assets of company	632,649 23

The Board of Trustees resolved that after paying the fourth quarterly interest at two and a half per cent on the capital stock of the company, that a dividend of TWENTY-FIVE PER CENT be paid in cash on and after the twenty-third day of June next, to those parties insuring with the company entitled to receive the same.

TRUSTEES.

Thomas A. Adams,	Samuel B. Newman,
Samuel H. Kennedy,	C. T. Buddecke,
John Phelps,	A. G. Ober,
Adam Thomson,	Henry Abraham,
P. N. Strong,	Victor Meyer,
Joseph Bowling,	Edward J. Gay,
John M. Sandidge,	Simon Hernsheim,
Simon Forchheimer,	Joseph B. Wolfe,
S. B. Post,	A. Levi,
Edward Pilsbury,	John E. King,
Charles E. Slayback	Frederick Camarden,
David Wallace,	J. L. Harris,
Andrew Stewart,	Joseph Stone.

THOMAS A. ADAMS, President.
HENRY V. GODBY, Secretary.
my29 5u W Su 1y

A Man With Too Much Record.

New Orleans has recently been honored by a short visit from a notorious confidence man, who signs himself, when he intends to use his own name, as John F. Barrett, Jr. It is not his first visit, of course, as several prominent and respectable citizens can testify to their sorrow. During his recent brief sojourn he succeeded in figuring as the victim of two or three public castigations, besides private snubbings innumerable. The ball was opened by Major V. A. Ryan, who met Barrett on the corner of Canal and Royal streets and vigorously dusted his coat with a cane, as in part compensation for having signed the major's name to a telegraphic dispatch ordering a certain bank box, with valuable papers, to be disposed of in a manner which was not to the liking of the owner of the box and contents. In noticing this affair, the New Orleans *Bulletin* gave a short chapter of the man's history, which, though truthful enough, did not please the subject of the notice. Barrett, therefore, armed himself and called on the editor for satisfaction. Fortunately for the ends of justice, the "fighting editor" happened to be in, and he conveyed a very appropriate apology to the blustering Barrett in the shape of a well slapped face. Having retired from the *Bulletin* office with what he deserved, if not what he came for, the next we hear of the hero of this sketch he was figuring as a badly defeated party in a controversy with a hack driver.

Finally, a friend came to his assistance and advised him to leave town, which he has done. He left last Saturday for fresh fields and pastures new, where he will doubtless endeavor to start a new business on the old basis.

Barrett generally introduces himself into a strange place as a newspaper man, and is always ready to back up his claims to that distinction by the production of numerous letters. A careful examination of his credentials, however, will excite suspicion in the mind of the most amiable and charitable. There is a striking similarity in the styles of chirography and some confusion of the names of the writers and the offices to which they purport to belong. But he has succeeded in deceiving many people by these spurious papers, and gained credit which he knows well how to turn to good account. He has lately, we believe, been a little cautious of taking such liberties. The last instance of the kind we can now recall occurred in Washington two years ago, when he caused to be published a paragraph stating that "J. F. Barrett, Jr., editor of the New Orleans *Picayune*, is lying dangerously ill at his hotel in Washington." The *Picayune* was then under the editorial charge of Colonel R. B. Rhett and Captain E. B. Dill. Barrett never had any connection with that or any other New Orleans paper, if we except the little engagement he had a week or two ago with the editor of the *Bulletin*.

If not a member of the press, however, the reporters of nearly all the papers throughout the country have been busy with his fame, as the subjoined extracts will show:

[From the New Orleans Times.]

John F. Barrett, Jr., has received another thrashing, the third, we believe, since his arrival. The last inflictor of condign punishment is said to be a cabman, whom he secured for repeated trips to the Lake with a female accomplice, and to whom he was indebted $50. * * *

The fact that he has walked these streets three weeks without being apprehended, we regard as the most scathing reflection upon our police management that has occurred in years, and his pretense of influence with the Republican party is a harsher criticism upon Republican party managers, personally and otherwise, than their worst enemies have ever made. * *

John F. Barrett, Jr., came to New Orleans in 1875, claiming to be the agent of the Associated Press. Mr. Simonton, the general manager of that institution, pronounced that assertion a fabrication, stating in a letter to Mr. McDaniel, the agent here, that no such person had been connected with the service during his administration, which, at that time, had continued seven years. * * *

[From the Albany, New York, Express, November 28, 1874.]

In Albany Barrett is pretty well known, and those whom he has swindled and lied about—and they are numerous here—would like to have him put in an appearance in Albany for a short time.

Let us give a leaf from his history. He first came to Albany in the campaign of 1868 in the capacity of a stump orator for the Democratic ticket, representing that he had been colonel or lieutenant colonel of an Iowa cavalry regiment during the war. That representation was undoubtedly a lie. Having plenty of brass and cheek he succeeded in ingratiating himself with some of the most prominent Democratic politicians in the city, and was finally given a position as copying clerk in the office of the superintendent of public instruction. From that position he was subsequently discharged by Mr. Weaver, the Democratic superintendent, for theft. Meanwhile he had procured money and other valuable things from various of our citizens under false pretenses, and for some time after his discharge, before his character became fully known, he preyed upon our citizens and also upon those of other localities. Other incidents in his career in this city we pass over for the time being because, if they were mentioned, they might bring shame to other parties. He was a thorough going confidence man, representing himself at times as a lawyer accumulating a large library in order to obtain credit for books which he afterward sold at auction; at other times as one of the editors of the *Argus*; again as confidential purchasing agent of the State department of public instruction, and yet again as a gentleman of leisure and means, owning a large and valuable landed estate in Iowa. Of course all these statements were lies—but he made money by circulating them.

Albany finally became too hot for "General" Barrett, and he went to New York, where he continued to practice his little games, and tried to get something to do under Tammany. Not succeeding as well as he anticipated, he became a violent Radical, and finally brought up in New Orleans, where he was used, in a small way, by Governor Kellogg. His pretentious claim that he defeated the admission of Pinchback to the United States Senate is absurd.

Our attention was called to this first class notice from the *Express* by a letter from the chief of police of Albany, who inclosed it in a letter to an inquirer, with the following comments:

OFFICE OF THE CHIEF OF POLICE, Albany, December 13, 1874.

DEAR SIR—I received your letter, and in reply would state that I was personally acquainted with John F. Barrett while here.

The inclosed article, which is taken from the editorial columns of the *Express* of this city, will give you all the information you require in regard to him. * * * * *

Yours respectfully,
JOHN MALOY,
Chief of Police.

[From the New York Tribune.]

CHARGES OF BLACKMAIL.

Application was made yesterday to District Attorney Phelps to have charges of attempted blackmail, by means of threatening letters, against John F. Barrett, Jr., sent to the grand jury. Mr. Barrett is now in this city, and claims, or pretends to be, connected with various newspapers. He represented himself at New Orleans as agent of the Associated Press, until exposed by the agent in this city. Barrett claimed to hold the receipt of several Senators friendly to Kellogg for sums paid by Kellogg through him, but could never be induced to produce them. He did produce instead letters claiming to be part of a correspondence with Kellogg exposing certain Senators, but on sending the documents to New Orleans they were found to be fictitious. A letter of John Malloy, chief of police of Albany, making inquiry after Barrett, who is "wanted" there, was shown Mr. Phelps. It inclosed an article from the Albany *Express*, which stated that Barrett had been employed in the office of superintendent of public instruction, and had been discharged for theft, and that he had figured largely in Albany as a confidence man.

Three weeks ago, or thereabouts, he returned to New Orleans. We first heard of him lurking about a prominent residence portion of the city, claiming to have in his possession a letter from Senator J. R. West, in which that official very sensibly advises him to keep quiet. The next we hear of him he is being caned by Major Ryan at the corner of Canal and Royal streets. The major accuses him of telegraphing in his name, in transposed initials, to the confidential agent of another person, and thereby obtaining from a private residence letters and papers altogether private in their character. The *Bulletin* two days afterward commented upon this episode with some asperity, and when John F. Barrett, Jr., demanded an explanation he received it in the shape of a box on the ear, and some say a boot toe in a less highly appreciated but no less important portion of the body, from the editor and proprietor of that journal. Notwithstanding these discouraging experiences we next hear of this energetic young man blarneying the cook in the kitchen of a private residence. By representing himself as a New York reporter, in indigent circumstances, whose trunk had been seized for board, and who is without the means to obtain a meal, he procured a comfortable meal, and to what extent prosecuted his inquiries, we are at loss to imagine. The last episode is his unfortunate meeting with the cabman, an individual who, it is said, for three weeks waited for him at midnight, ready to perform one of the enormities in serious contemplation, and who alleges that he went unpaid. The solution of this brief biographical sketch resolves itself into one question, do we pay a police something over half a million dollars per annum to protect miscreants like Barrett, or have we no law which will cover his case? Must inoffensive citizens be daily and nightly harassed, or are they expected to take the law into their own hands, and, if necessary, commit murder.

[From the New Orleans Bulletin, May 7.]

The press of this city was considerably exercised, some time ago, to discover the identity of a person by the name of Barrett. "John F. Barrett, Jr.," as he somewhat pompously styled himself, who swaggered around Washington and New York extensively, during the height of our political troubles, pretending to vast knowledge of public men in Louisiana, and assuming to possess the most profound secrets concerning events and men who were most notorious at the time.

He flitted between here and Washington like a bird of ill omen, wrote the most scurrilous and false letters about the people of New Orleans and Louisiana, blackmailed numbers of persons upon various pretexts, and finally, when he had run to about the length of his tether on that side of the question, he became bold and aggressive, threatened the men whose dirty work he had been only too glad to do. Meantime, however, it leaked out that this fine fellow, this blusterer and bravado, this lowest and most depraved specimen of the political vampire, was an ex-jail bird from Albany, New York. He was published as such in an Albany newspaper, and the article was subsequently reproduced here.

This fact, and the further fact that he was systematically defrauding every individual verdant enough to be frightened by his threats or mislead by his plausible statements, had the effect of squelching him, and all his fine feathers were dragged in the mud. This fellow turned up here a short time since most unexpectedly, and was soon found to be at his old tricks again. Going down to the Parish Prison to interview Alexander Newton, who is there imprisoned, in order to get some points on his former pals, he met with an exceedingly warm reception. Newton seizing the occasion to draw a most elaborate tongue picture of Barrett, sent him out of the prison with a flea in his ear, so to speak.

We think here is record enough to load down any ordinary man. But Barrett survives, and will yet turn up as the hero of some new adventure, unless he happens to fall into the hands of John Maloy.

Mrs. Jarley's Wax Works.

This genial old lady appeared at Grunewald Hall last night with one of the finest collections of wax work figures ever seen in this city. The show embraced everything historical, poetical, horrible and beautiful in and out of history. The costumes were unusually fine, and in that respect there was no burlesque in getting up the entertainment. The hall was crowded with as fine an audience as ever assembled there. Mrs. Jarley was consequently happy, and beat the Dickens in explanatory remarks. The old lady came upon this public very suddenly, and gave her assistance right heartily for the charitable purpose to which the proceeds of the entertainment were devoted. It is not known where Mrs. Jarley spent the winter before the present tenting season, but some one in the audience said, "I. X. Peck she has been in St. Louis," and no one doubted it. Mrs. Jarley will undoubtedly show again here, when she will introduce new features, as her features are only limited by the supply of wax, of which there is abundance for all consummations. During the evening a male quartette gave some fine singing, which was appreciated and applauded.

[By Telegraph.]

Pass-a-l'Outre.

PASS-A-L'OUTRE, May 25, 1875.

To Captain C. W. Howell, Corps of Engineers, United States Army:

Western Empire still aground. Channel same as last dispatch.

CHARLES E. L. B. DAVIS,
First Lieutenant of Engineers.

Governor Kellogg.

Governor Kellogg was at the State House a few hours yesterday, attending to the duties of his office. He is still suffering from the bruises received at the time he was thrown from his buggy on Broad street, but not sufficiently to prevent his giving applicants for office an amiable reception, for such were those who absorbed most of his time yesterday.

Mr. P. Short, late business manager at the Academy of Music, will leave the city to-day for a trip to New York, and probably across the water before he again settles down to business. Next season Mr. Short will be treasurer at the Olympic Theatre, in St. Louis, under the management of Dr. Spalding. He has been very popular here, and carries to his new field of labor our best wishes for his future success.

COURT RECORD.

TUESDAY, MAY 25, 1875.

United States Circuit Court.

Present—Hon. W. B. Woods, Circuit Judge.

United States vs. G. W. Swanton.—Information for beating and wounding on the high seas. Two cases. Plea of not guilty. Bail $500.

L. L. Conrad vs. Rufus Waples.—On trial.

Myra Clark Gaines vs. city of New Orleans.—Rule for new trial by counsel for Rhoda C. White fixed for May 29.

Supreme Court.

Present—All the judges.

The following decisions were rendered:

REHEARINGS GRANTED.

No. 5294. Georgina Whan vs. Jesse B. Irwin et al.

No. 5003. Succession of Milton Taylor.

REHEARINGS REFUSED.

No. 3956. J. D. Taylor vs. Thomas Lynne.

No. 4023. Mrs. M. Mulvey vs. H. Bird.

No. 4331. John Chastant vs. Dr. Joseph Elliott.

No. 5211. Citizens' Bank vs. Louis Mut.

No. 5371. Succession of John Trainor et ux.

No. 5398. Mary Malady vs. William Malady et al.

No. 5418. Successions of George and Francis Clark.

No. 5472. Succession of G. S. Dufossat vs. B. S. Labranche et al.

No. 5496. George Lisle & Sons vs. Beals & Laine et al.

No. 5494. B. D. Wood & Brothers vs. Beals & Laine et al.

No. 5535. New Orleans Credit Foncier Association vs. P. A. Desforges.

No. 5551. Olivia Theriot vs. G. Lyons, sheriff, et al.

No. 5555. State of Louisiana vs. H. H. Willis.

No. 5577. Lehman, Newgass & Co., A. Dufossat subrogated, vs. Louis Ranson.

No. 5580. Charles E. Alter vs. S. O. Nelson & Co.

No. 5581. Ophelia G. Burbank, tutrix, vs. William Harris.

No. 5606. Thomas Biehler vs. Pascal Sorthan; John Gabagan vs. same.

No. 5615. Isaac F. Riley vs. hiers of Mrs. E. M. Riley.

No. 5621. Succession of Stephen Duncan Linton.

No. 5644. Carrie A. Drake vs. Thomas J. Hays.

No. 5648. Mrs. A. M. Barrow vs. James H. Stephens, sheriff.

No. 5653. A. L. Gusman vs. Gustave Le Blanc, sheriff.

No. 5659. Succession of Mrs. S. B. Fuqua.

No. 5665. Mrs. M. C. Gordon vs. Patrick Gilfoil.

No. 5678. Charles E. Alber vs. James McCullen.

No. 5689. Harriet G. Adams vs. Edward W. Adams.

No. 5585. R. J. Moore vs. Mrs. L. M. Bulman: same vs. Alex J. Bulman.

Superior District Court.

State ex rel. H. R. Steele vs. City of New Orleans.—Injunction restraining the city of New Orleans from making any assessments of property, the State only being authorized to do so, made perpetual.

State ex rel. Louisiana State Lottery vs. Mrs. M. A. Lott et al.—Relator alleges defendant has sued the sheriff for executing a fieri facias issued by this court; that the sheriff has called plaintiff in warranty, and prays that the case be transferred to this court. Rule to show cause fixed for May 31.

B. Bernichon and fifty-five others vs. Administrator Turnbull.—New parties, Administrator J. O. Landry and W. F. Loan, Superintendent of Police, made defendants, and new trial granted on counsel's suggestion that the case of Stafford vs. city did not include these cases.

State of Louisiana vs. Charles Clinton. Defendants answers that he did issue warrants to James Longstreet, Major General commanding the State militia, for $60,300 but it was by virtue of a judgment of this court in the State ex rel. James Longstreet vs. Charles Clinton, filed herein: that he did issue warrants to George C. Benham for $34,500; James B. Wands for $14,372; E. W. Dewees, for $27,500; C. W. Lowell, for $1,478; James S. Mathews, for $14,5000, and Joseph H. Oglesby, for $33,407 39, in consequence of these items being contained in act No. 59, of 1874, the appropriation bill, but that it was a ministerial act, and performed on the advice of the acting Assistant Attorney General.

State ex rel. Loring D. Allen and twenty-two others vs. City of New Orleans—Relators allege that they are members of the Metropolitan Police; that they (efght of them), are detailed for service with the Board of Health; that they are entitled to pay from the city in the same manner as sanitary officers; that fifteen are detailed for duty at the municipal courts and entitled to pay from the city as the judges and clerks, and that their pay by law is $1000 per annum. Rule to show cause granted, returnable May 29.

Robert P. Fendrick vs. Alexander Cramer.—Petitioner alleges he resides in Columbus, Texas; that he gave two notes, April 23, 1874, for goods purchased and guaranteed by written warrant of defendant, for $1000 and $1671 22; that defendant agreed to hold the notes for thirty days; that the goods were not up to the agreement, poor in quality, short in quantity, and overcharged; that he has held them for defendant, and prays the contract be annulled on return of the goods. Injunction on disposition of the notes issued on bond of $250.

Superior Criminal Court.

State vs. J. D. Nelson.—1 and 3, forging orders on the Canal Bank for $720 and $400, 2 and 4, publishing as true forged orders. Verdict, guilty.

State vs. William Smith.—Burglary. No entry proved, and case abandoned.

First District Court.

NOLLE PROSEQUI ENTERED.

State vs. Louis Joseph.—Assault with intent to steal.

CONVICTED.

Frank Rogers and John Murphy, of petty larceny; Levi Howard of breaking and entering a dwelling house in the day time; James Comfort of assault and battery.

SENTENCED.

William Smith, horse stealing, thirty months; Mrs. Smith, Mary Smith, Lizzie Williams, petty larceny, two months each; Baptiste Johnson, entering a dwelling house in the day time, eighteen months.

Second District Court.

Successions of Augustus de B. Hughes and Jose M. Dominguez opened.

Fifth District Court.

Judge Cullom rendered the following decision:

James Carran vs. Alex. Castaing.—The plaintiff being a mortgage creditor of the defendant for $1500, interest, attorney's fees, etc., took out an order of seizure and sale against the mortgage property, which is situated in this city. This property was sold and plaintiff has taken a rule against the city of New Orleans, and on the sheriff, to show cause why, on paying the taxes due the city for the year 1875 (say $150), the city should not give a receipt for all taxes due by said property, and thereby exonerate it from the onus of taxes due by Castaing on other movable effects. Carran tenders $150 for taxes due on the property which he purchased, but the city having failed or neglected to collect the taxes assessed on other property belonging to Castaing, seeks now to compel the plaintiff and mortgagee to pay them before he can get a clear title to the property sold under his mortgage.

Section twenty of the act approved March 16, 1870, provides "that the taxes assessed and levied by virtue of this act on the property, real and personal, of any person or corporation, are hereby declared to be a lien and privilege upon said property, to date from the first day of August of the year for which they may be assessed, any alienation thereof or encumbrance to the property thereon notwithstanding, and said lien or privilege shall exist in favor of the city of New Orleans for the respective amount of taxes assessed, until the same shall be fully paid, and the same shall be paid in preference to all mortgages and encumbrances other than taxes due the State," etc.

It is contended by the City Attorney that this lien and privilege existing on the objects assessed, if not paid, exists with equal force and effect upon the real estate of the delinquent. To illustrate, if A has a capital in trade of $1,000,000, which owes an assessed tax of $25,000, and also owned a house and lot assessed at $25,000, on which C held a mortgage antedating the assessment of the tax on the capital, B can not sell it under his mortgage and get a clear title on paying the tax assessed on the mortgaged property, without also paying in $25,000 assessed on A's capital, or so much thereof as the property may bring.

I understand the law differently. "The taxes assessed and levied by virtue of this act and on the property, real or personal, of any person or corporation, are hereby declared to be a lien and privilege upon said property," etc. I think the just and consequently the proper interpretation to give this language is, "the taxes assessed on the real property are declared to be a lien and privilege on it, and those assessed on personal property a lien and privilege thereon."

This view is strengthened by the fact that the most powerful and promptly operative remedies are placed in the hands of collectors to enforce the payment of all taxes. In point of fact, I may say they are oppressive, if not tyrannical. Again, if the real estate is to be inevitably incumbered with all taxes on capital of a personal nature, it must cease to furnish any basis of security to lenders of money, and consequently become, to a very serious extent, dead capital.

The power or authority to sell land for the payment of taxes was never understood to belong to common law, and therefore must exist, if it does at all, by statute law and must hence be special. It must grow out of the sovereign perogative of a State and the very letter of the law, and must be strictly pursued and should appear to be so on the face of the proceedings. Looking to the language of the statute authorizing the collector to enforce the payment of taxes, I find it almost verbatim with that authorizing the sheriff to seize and sell under a writ of fieri facias.

It need not be argued that under the fieri facias writ the duty of the sheriff is first to seize the personal effects of the debtor. It has been remarked, and I think with good reason, that the evident intention of "the law was to make the tax a charge upon the person of the resident" (see Blackwell's Tax Titles p. 175); and the statute declaring it a lien on his property has no other effect than to secure its payment. The same author says: "It is the policy of the law to resort to the land itself only when all other remedies fail to enforce a satisfaction of the tax."

The person or personal estate of the delinquent is regarded as the primary, the land the dernier resort. The tax never becomes a charge upon the land until the other remedies have been exhausted. (Idem, p. 176.) This is the principle which commonly prevails in the absence of any special statue to the contrary. Privileges are *stricti juris*, and can not be extended in any case, but more especially in one like this.

I am of opinion that the intention of the Legislature of this State was to charge the property taxed with a lieu and privilege for the payment of its assessments; that it was not the intention to impose a privilege on any one species of property to secure the payment of taxes assessed on another. Were the reverse of this proposition true, as insisted upon by the City Attorney, it would in very many instances impair the obligation of contracts and prevent the most ordinary use of private property.

Purchasers of property are expected to pay the taxes assessed on it, not because the property owes them, but because the former owner owed so much on it. If the property owed the tax, an assessment in the name of one not the owner would authorize its sale, and the cale would be valid. But such is not the law. 42 Missouri Rep., 162.

Any other construction would oblige the mortgage creditors of the delinquent taxpayer to pay all the taxes due by him on every species of property before he could be permitted to collect his own debt, although secured by a prior mortgage. The rule must be made absolute on the plaintiff's payment of the taxes assessed against the property in question for the year 1875.

The "Bonnie Blue Flag."

An unusual interest is just now taken in the flags of all nations. The crowned heads of Europe have been in consultation, and banners in all lands have been hung on the outer wall. Sergeant Bates is still on the war path, urging foreigners to knock the stars and stripes from his shoulder. Mr. Lick, of California, has paid for a monument to Francis S. Key, for services rendered the "Star Spangled Banner." The North is in a constant stew of centennial patriotism, and North Carolina puts in a loyal oar. Jefferson Davis has made a triumphal tour of Texas, advocating States rights and incidentally eulogizing the national colors to which he was once fondly devoted. This may well be called the year of bunting and memorial battling. Nor has the ephemeral flag of the Confederacy been forgotten. Under that Mr. Semmes, of Alabama, has bestowed the hand of his daughter to a suiter, and gained some additional notoriety for himself and his military storekeepers. But Shreveport saw another sight. In that town the Arkansas comedian, author of the "Bonnie Blag Flag," has been behaving badly. The Shreveport *Times* says:

We regret to learn that Harry Macarthy was guilty of very represensible conduct in leaving Shreveport. Among other sufferers are the members of the talented band that accompanied him, all of whom were left here by Macarthy without a cent of money to pay their expenses or get away on. If Macarthy had been unsuccessful while here there might have been some excuse for him, but he was well patronized and no defense can be offered.

Mr. Macarthy for many years has traveled on his reputation made by writing and singing the "Bonnie Blue Flag." His home was in Indiana, but his heart was with the South, for he composed for Confederate soldiers an anthem which gained for him much popularity and some money, and his friends will learn with regret that he has allowed his glory to fade in Shreveport. His stepping out of that town may, however, be but the eccentricities of genius, and there may be an unborn Lick who will yet rise up and monument his remains. Shreveport patronized the singer tolerably well, but he was ungrateful enough to do ill, and has probably gone to Texas, where he will sing his little songs and tell his little stories to more appeciative audiences.

Two years since a servant girl in Pennsylvania was sent to prison charged with stealing $200 from her employer. The prosecutor lately found his money in a forgotten place where he had put it, and in his remorse at having done injustice to an innocent girl, offered her $6 to be happy on. Her lawyers recommend compromise and instruct her to ask $10,000. Humanity demands that she receive enough to pay her lawyers.

BY TELEGRAPH.

WASHINGTON.

New Regulations for Horn Island Light.

WASHINGTON, May 25.—From this date the bell will strike at intervals of fifteen seconds at Horn Island light station, and at the head of the passes lighthouse station, Mississippi river, two blows and one blow at alternate intervals of ten and twenty seconds during foggy weather.

French Consul at Charleston.

Adolph Philbert is the French consul at Charleston.

Decrease of Revenue.

Accountants claim that the new newspaper law decreases the revenue fifty per cent.

The Whisky War.

A vinegar establishment, with complete distillery apparatus, was seized in St. Louis. They are discharging gaugers and arresting tradesmen everywhere.

The Rhode Island Legislature—Lippitt Chosen Governor.

At Newport this morning the general assembly met in grand committee and appointed a committee to count the votes cast for the general officers at the last election. After a recess the committee reported no choice for Governor or Lieutenant Governor. The grand committee proceeded to choose a Governor. Rowland Hazard received thirty-six votes, and Henry Lippitt seventy, and the latter was declared elected Governor. For Lieutenant Governor—Samuel E. Day forty votes, and Henry T. Sisson sixty-six, and was declared elected. The general officers were sworn in and the election completed.

A bill was introduced into the Senate to repeal the prohibitory liquor law and substitute a license law. The session will probably continue until Friday.

FOREIGN.

Sentiments of a Newspaper in Havana.

HAVANA, May 25.—The *Voz de Cuba* publishes a strong editorial, replying to one in the *Independencia*, of New York, which advocated the continuance of burning of plantations and settlements for the purpose of driving the Spaniards out of Cuba.

The *Voz* accuses Signor Aldama of advocating this plan, and says that a triumph of the insurgents could only produce another Hayti, and that notwithstanding the quantity of African blood in Aldama's veins, and the dark color of his face, he would not be accepted as a recruit by insurgent chiefs Cecilio and Gonzales, because he would be considered as belonging to another race. The *Voz* further says, the *Independencia* cries "No delay! no hesitation!"

The Spaniards must do the same. Instead of conquering this band they must assassinate it, because it no longer displays a political but a criminal flag evoking a renewal of scenes in St. Domingo.

The article has produced a profound impression. The sympathizers with the revolution pronounce the article of the *Independencia* unwise.

The Pope.

ROME, May 25.—The Pope is seriously ill.

Adjourn for the Derby.

LONDON, May 25.—The House of Commons, by a vote of 206 to 86, adjourn for the Derby.

The New Committee of Thirty.

PARIS, May 25.—The Assembly to-day elected eleven members of the new committee of thirty. All belong to parties which support the present constitution. Among them are MM. Laboulage, Cezaune and Ricard. The seventeen other members remain to be elected by a second ballot, as none of the candidates received an absolute majority. Among the candidates are M. Gambetta and two deputies of the right. No Bonapartists offered themselves for places on the committee.

Legislation Against the Catholics.

BERLIN, May 25.—The Upper House of the Prussian Diet passed bills for the suppression of convents, and relative to the administration of Church property.

A Vote of Confidence.

BRUSSELS, May 25.—The Senate has unanimously adopted a vote of confidence in the government, in respect to its conduct of the correspondence with Germany.

The ministry has given notice that it will introduce a bill providing for the punishment of offenses similar to that of Duchesne.

The Duchesne Case.

The papers in the case of Duchesne have been handed to the German ambassador, with a note explaining that the investigation was exhaustive, and nothing has been discovered beyond the letters, which are already known, and which do not bring Duchesne within the scope of any penal code. The note adds that the government will propose an amendment to the law, by which proposals of murder will be made punishable the same as threats.

MISCELLANEOUS.

Seized.

NEW YORK, May 25.—The real estate of Lawrence, the alleged silk smuggler, to the amount of $125,000 has been seized.

The Tennessee War Issue Illegal.

A Nashville dispatch says the Supreme Court has decided that the State is not bound for the payment of the new issue, known as the war issue of Tennessee money, amounting to $800,000.

Verdict Against a Railroad.

LAWRENCE, Kansas, May 25.—The suit of Douglass county against the Leavenworth, Lawrence and Galveston railroad, to recover bonds fraudulently issued to that company, was decided to-day, the county receiving a verdict for $400,000.

Organizing an Expedition to the Black Hills.

PHILADELPHIA, May 25.—A large and enthusiastic meeting was held to-night to further a Black Hills expedition, J. S. White, president of the Philadelphia expedition, in the chair. A. H. Pierson, president of the New York exdedition, and D. K. Allen, president of the Boston expedition to the Black Hills, entertained the large audience, which filled the Assembly Hall, and Mr. Allen explained from a large map the region now creating such widespread interest throughout the land. At the close of the meeting a resolution was adopted asking the government to take speedy action on the acquisition of the Black Hills, and to treat with the Indians for the relinquishment of their privilege to any portion of Wyoming Territory, and also to that part of Dakota Territory lying south of the Big Cheyenne and Belle Fourchey rivers.

A Local Triumph of the Western Union.

BOSTON, May 25.—It is authoritatively stated by the *Evening Traveller* that the lease of the property of the Franklin Telegraph Company to the Atlantic and Pacific Telegraph Company, was, on Saturday last, annulled and canceled by agreement of the parties thereto. This action replaces the lines of the Franklin Company, between this city and Washington, and also the exclusive connection with the new ocean cable at Rye Beach, New Hampshire, in the hands of its former manager.

The petition of the stockholders for the appointment of a receiver and a sale of the property, in consequence of alleged frauds on the part of the Atlantic and Pacific Telegraph Company, which owns a majority of its capital stock, will be heard before Judge Morton, of the Supreme Court, on Friday next.

Boiler Explosion.

CINCINNATI, May 24.—A large rotary boiler, in the Franklin Paper Mills, at Franklin, Ohio, exploded this afternoon, with terrific violence, completely destroying the building in which it was located, and throwing half of the boiler a third of a mile. Eight persons were in the building at the time of the accident, of whom Perry French, W. Ross and Celia Maley were severely injured; the remainder suffered slight bruises. The works were owned by Death, Clutch & Co., and were damaged to the amount of about $6000.

The Baltimore Races.

BALTIMORE, May 25.—The weather at this hour, 11:15 P. M., has apparently settled fair, and the races which were postponed to-day will commence to-morrow. Pool selling at Johnston's was again brisk to-night, with no change in the betting from last night.

A Veto by the Mayor.

Mayor Vansant sent a message to the city council this evening vetoing the ordinance recently passed appropriating $6000 for the partial payment of the expenses of the Fifth Regiment to the Bunker Hill centennial of independence.

Death of an Ex-Congressman.

MORRISTOWN, N. J., May 25.—Hon. John Vail, formerly member of Congress and consul to Glasgow, is dead.

Refused to Interfere.

ATLANTA, May 25.—Justice Bradley, of the United States Court, and District Judge Erskine, refused to enjoin the sales of the Macon and Brunswick Railroad, or to appoint a receiver, as petitioned for by John B. Branch, of Virginia.

**Presbyterian General Assemb