NEW ORLEANS REPUBLICAN.

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VOLUME IX.—NO. 85 NEW ORLEANS, FRIDAY, JULY 16, 1875. WHOLE NUMBER 2546.

HOTELS AND RESTAURANTS

TEGARDEN HOTEL,
MISSISSIPPI CITY, MISS.
Having been painted, refitted and put in complete order, is now
OPEN FOR THE SEASON
under the management of Colonel J. O. NIXON.
Terms reasonable. jy10 3m

GRAND ISLE HOTEL.
1875. —— 1875.
The only real Surf Bathing in the South. Fish, oysters and game unlimited. Fine sailing and fishing.
Terms—$45 per month; $12 per week; $2 50 per day. Liberal terms to families and excursion parties.
Steamer leaves Harvey's canal every Saturday and Tuesday at 8 A. M., returning to the city every Monday and Thursday evening at five o'clock.
jy5 2m B. MARGOT, Proprietor.

ORLEANS HOUSE.
Formerly the Harris House,
PASS CHRISTIAN, MISSISSIPPI.
Board by the day, week or month. Rooms airy and commodious. Location near the beach, with bath house attached. Every attention paid to the comfort of the patrons of the house. Table supplied with the best the market affords. Charges moderate. Patronage respectfully solicited.
je4 3m MRS. M. J. COWAN, Proprietress.

BOSSELL HOUSE,
BILOXI, MISSISSIPPI,
Will reopen on May 1, 1875, for the reception of 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 Barry wishes to see you all.
P. J. MONTROSS,
mh13 6m Proprietor.

MISCELLANEOUS.

THE UNION FOREVER!
E. H. FLYNN & CO.,
Stall No. 515, French Vegetable Market,
Will supply all Government Officers, either in the Army or in the Navy, and satisfaction guaranteed. Will fill all bills for companies in the Army or messes in the Navy.
PRODUCE AND VEGETABLE DEALERS,
No. 515 French Market.
United we stand, divided we fall! jy7 3m

$5 TO $20 PER DAY, AT HOME. Terms free. Address G. STINSON & CO., Portland, Maine. my29 d&w 1y

J. JAYNE INFORMS HIS FRIENDS and the public that he will open his new Confectionery on SATURDAY, July 3, at No. 164 CANAL STREET, opposite Christ Church. He hopes the same share of patronage which has been extended to his establishment, previously located corner of Canal and Rampart, will be granted to No. 164 Canal street. je27 1m

PEOPLE'S LOAN OFFICE,
Corner Royal and Conti streets.
Liberal loans made on
DIAMONDS, WATCHES, JEWELRY,
and goods of every description. je27 6m

SCALES.

FAIRBANKS'..............FAIRBANKS'
STANDARD SCALES,
No. 53 Camp street.
——
FAIRBANKS' COTTON BEAMS
——
MOSLER, BAHMANN & CO.'S FIREPROOF SAFES.
The best made in the market.
——
TROEMNER'S STEEL CORN AND COFFEE MILL
——
FAIRBANKS'
POSTAL PACKAGE SCALE.
For the weighing of postal matter, hardware, groceries, cigars, gloves, shawls, dry goods, candy ornaments, tea, etc. Anything not weighing more than four pounds can now be sent by mail for two cents per ounce, or sixteen cents will carry a pound across the continent.
All retail merchants should have our
Postal Package Scale.
SHRIVER'S LETTER COPYING PRESSES.
MILES' ALARM MONEY DRAWERS.
Counter, Druggist, Platform, Hay, Coal and Cattle Scales.
FOR SALE AT NEW YORK PRICES.
FAIRBANKS' SCALE DEPOT,
53..............Camp street..............53
my13 3m d&w

BANKS AND BANKING.

LOUISIANA SAVINGS BANK
AND
SAFE DEPOSIT COMPANY,
51..............Camp street..............51
CAPITAL, $500,000.
E. C. PALMER, President.
JAMES JACKSON, Vice President.
Directors:
ED. CONERY, FREDERICK WING,
J. H. KELLER, W. H. THOMAS,
W. B. SCHMIDT, JAMES JACKSON,
E. C. PALMER.
This company insures against loss by burglars, thieves and fire at low rates, and its capital gives security to depositors.
Small deposits received, and six per cent interest per annum, payable semi-annually.
jy11 1y JOHN S. WALTON, Cashier.

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. BANNER, Cashier. ap30 1y

NEW ORLEANS SAVINGS INSTITUTION, No. 158 Canal street. Trustees—Dr. W. Newton Mercer, L. F. Generes, David Urquhart, George Jonas, 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 KILSHAW, Treasurer. ap18 1y

LEGAL NOTICES.

THE STATE OF LOUISIANA.
SIXTH DISTRICT COURT FOR THE PARISH OF ORLEANS.
NOTICE TO CREDITORS.
IN THE MATTER OF DARBY & TREMOULET VS. their creditors—No. 17,334.
THE CREDITORS OF DARBY & TREMOULET are notified to show cause within ten days why the tableau of distribution herein filed should not be approved and homologated.
New Orleans, July 15, 1875.
jy16 10t JOHN J. O'BRIEN, Clerk.

IN THE DISTRICT COURT OF THE UNITED STATES.
DISTRICT OF LOUISIANA.
AT NEW ORLEANS, LOUISIANA, THE ELEVENTH day of July, A. D. 1875.
THE UNDERSIGNED HEREBY GIVES NOTICE of his appointment as assignee of George Roberson, of the city of New Orleans, State of Louisiana, within said district, who has been adjudged a bankrupt upon his own petition by the District Court of said district.
jy11 16 20t H. G. MORGAN, Assignee.

NOTARIES.

A. HERO, JR.,
NOTARY PUBLIC AND COMMISSIONER OF DEEDS
Office No. 17 Commercial Place.
Passports procured with dispatch, and prompt attention given to all. ly and

TRIAL OF AUDITOR CLINTON

SUPERIOR CRIMINAL COURT

Second Day.

The courtroom was not so crowded as on the first day, and most of those present besides the witnesses were jurymen, who were soon dismissed after answering the roll call. Judge Braughn appeared in court at half-past ten o'clock. The reading of the minutes occupied fifteen minutes. A few cases were disposed of by continuance, and the jury were brought in. Some witnesses being absent Judge Braughn informed the Attorney General they would all probably appear. The jury was then called. Colonel Field again placed Mr. F. A. Sholtz on the stand, and read the executive order or proclamation of the Governor of June 19, 1873, calling on all holders of outstanding claims on which legislative action was desired to present them to the Auditor for examination. He further read the Auditor's report of 1874, showing the appropriation of 1871 to be $1,000,000, and that there were colorable pretexts for drawing money from the treasury outstanding, some being entitled to consideration. Amount presented $41,490 50; approved $37,502 50; not approved $3988. All of these were offered in evidence to show that none of the Benham vouchers offered in August, 1874, were examined and approved by this report.

Mr. Sholtz said none of them were included.

The State then turned the witness over to the defense.

Mr. Semmes said—We will not make any cross-examination, and Mr. Sholtz was dismissed.

Colonel Field offered the record of the case of the injunction against the appropriation bill, No. 59 of 1874, approved March 16 and published March 17, filed March 17, and injunction issued March 18, 1874. He referred particularly to item forty-one, "for legislative vouchers the necessary amount is hereby appropriated." On this the Auditor was enjoined from issuing any warrants on the amounts named in the petition. On a subsequent day, March 20, he concluded to embrace more of the items of the appropriation bill, particularly including the second section of the act, as in violation of the constitution, and not included in the title; that the third section seeks to make warrants issued under the second section receivable for State debts. On March 20 an injunction was issued both to the Auditor and Treasurer. Service of them was presented.

Colonel Field then called for Mr. Drury and the books of the funding board. He offered act No. 58, and called the attention of the jury to the title and the second section. To the counsel for the defense he said he should maintain the unconstitutionality of the second section as without any injunction. By act No. 49 of 1874, another appropriation of $250,000 was made. By act No. 1 of 1870, $250,000, and act No. 2, $250,000 more was appropriated, and in 1871 another of $200,000, and for fear there was not enough for contingent expenses, there was appropriated $125,000. These were the outstanding vouchers, so called. Mr. Dubuclet, the Treasurer, was enjoined from paying any voucher or warrant of these appropriations. By the funding act it was provided for the exchange of valid outstanding bonds of the State. Illegal funding is a misdemeanor.

Judge Braughn here ordered a recess for the accommodation of the jury and to wait for the books of the Auditor.

After a short recess Mr. George Drury was called. He stated he was clerk of the funding board in 1874, and in the same year Assistant Secretary of State; recognized the entries in the minutes of the funding board at the time the $138,000 in warrants were funded; the board had no regular day of meeting; it sometimes adjourned from day to day; have no recollection of a resolution fixing a day of meeting; is of opinion there was no day fixed at that time; when applications were made for funding the Auditor usually had a copy and the board had the minutes; there are always applications in writing; have the impression when the funding is completed the Auditor indorses the application, and when the bonds are to be delivered the applicant takes his application to the Auditor, and receives them; don't know personally about it; Mr. Sanford was Mr. Benham's clerk, the president of the St. Louis Building Association; don't know that he received the bonds; Mr. Benham was not present at the board at the time of the funding; the Governor was not present at the meeting; think he was in the city, but can not swear to it; didn't see him and can not say that he was in the city or out of it. [After examining the book, showing that at the board meeting, August 26, the Auditor presided, the Governor, Lieutenant Governor and fiscal agent were absent]. The space of nearly three pages was left to record the proces verbal, copies having been published in all the papers, and the board holds the originals; the applications were destroyed; there appears on the record no meeting of August 27; then there was no meeting; don't know whether there was any meeting unless the record shows it; I don't remember any rule for or against the calling of a special meeting by any member, nor any authority or prohibition; it was a custom for a member to call a meeting when there was any business.

Colonel Field read the record. August 26 the board adjourned to August 27 at twelve o'clock. We find no meeting on the twenty-seventh. On the twenty-eighth the meeting is on the application of Sanford, which was adjourned to Saturday, August 28.

Mr. Drury continuing—I don't know who made the motion to fund; it may have been Colonel Lowell; I don't think I said in the other court who it was; if you say so (to Colonel Field) I believe I did, but I don't think I did say so; I don't know who first spoke of the matter; I think Colonel Lowell first brought it up, but I don't know positively, and I don't think I said so; Colonel Lowell was present, and might have done so; I have not read my testimony, except as it appeared in the newspapers, and there are many errors.

Colonel Field to Mr. Semmes—May I put a leading question?

Mr. Semmes—Yes, sir.

Colonel Field—Did you not say in the Superior District Court that Auditor Clinton advocated the funding of the $138,000 of warrants?

Mr. Semmes objected that the question was a different one than he expected; that it was whether Auditor Clinton made the motion to fund. Colonel Field should not ask the witness that unless he showed him the testimony.

Judge Braughn remarked the witness said he could answer the question, and suggested he be allowed to do it.

Mr. Drury then said all advocated it; there were four present, and all voted for it; can not say what meetings were caused by notice; the record should show; if a special meeting was called notice was sent to every member; if the meeting was an adjourned one no notice to any one was sent; can not swear whether the meeting of August 24 was an adjourned or special meeting; if the latter a notice was sent to all; there is no necessity of a notice on an adjourned meeting; one member could call a meeting then, and it being a special meeting a notice was sent.

Judge Braughn—The question is whether this was a special meeting or not, and the witness says he can't tell except by the record. If it was a special meeting he sent a notice; if an adjourned meeting he did not.

Mr. Drury—The date of the twenty-eighth of August for Saturday is a clerical error; it should be the twenty-ninth; there was nothing before the board then but the application of Sanford; on that application the board resolved to fund; there were no warrants there that I saw; I should like to explain this: the Assistant Attorney General—

Judge Braughn assented, but Attorney General Field objected, saying he did not want hearsay. The State did not want any explanation.

Mr. Semmes—I do.

Judge Braughn—The witness was asked, was there anything else before the board except the application of Sanford? He has answered categorically, no. He has now the right to explain.

Colonel Field—I must except to the ruling. The witness will go on to tell what the Assistant Attorney General said; that the matter was discussed; that he was sent for, etc.

Mr. Drury explained. The subject of these warrants were discussed at two meeting. At the first Mr. Clinton explained that the vouchers had been passed and audited, and the warrants made out but not signed previous to the injunction; that he had been absent at the time—

Colonel Field—It is not proper for the witness to tell the whole transaction of the Auditor.

Mr. Semmes—The question is the explanation of the witness to his answer, that there was nothing before the board except the application of Mr. Sanford; it is proper as an explanation; part of the *res gestæ*. The Attorney General has read the penal clause of the funding act. If that has any effect in the case, this explanation goes to the very foundation of the case—the vital part. It is proper to show that these gentlemen, Lowell, Dubuclet and Deslonde, discussed this question, and that they were governed by the advice they received.

Colonel Field said his ingenious friend had wandered from the question. There is a distinction between the action of the funding of the warrants and the auditing of the vouchers, knowing they were not valid claims. The funding board is not on trial and can not come to the aid of the Auditor with advice. Not even the funding board nor any other officer, not the Attorney General nor Assistant Attorney General, nor double assistant attorney general can protect him from a violation of law. He can not invoke the opinion that Lowell had and gave Clinton that the Sanford warrants were all good. It would be a nice pretext for you to say that would be a legal justification of his act. The object of the State is to show that the Auditor not only violated the law in issuing the warrants, but followed up this violation to the funding board, and shared with the recipients the proceeds, and that afterward they were found in his possession. That is the theory of the State. If you let this witness go on—

Judge Braughn checked the Attorney General.

Mr. Voorhies said the defense did not object to the ruling of the court, but did to the palming of a defense by the Attorney General; which was not intended to be offered.

Judge Braughn said counsel on both sides had wandered from the question. The witness was going too far. The information does not charge illegal funding. The charge is simply issuing, and the evidence must be confined to it. Evidence of funding was allowed to show the whole $138,000 in one batch. It is enough for the purposes of this case to show the matter was discussed.

Mr. Semmes said he had not objected, because he had not chosen to, and because it seemed to him it was a legitimate right of the State. Now that Colonel Field had opened it, he wished the whole matter to be brought out.

Judge Braughn—Let the witness go on.

Colonel Field said he wished to seem consistent; the warrants were not issued before the injunction.

Judge Braughn—Here is Benham's receipt for March 17.

Colonel Field—That is not the fact. The receipt is so dated, but they were not issued till August 26, and it is so alleged in the information. There is no design on the part of the State to cut off any part of the defense. But the State is satisfied with the answer of the witness that there was nothing before the board except the application of Sanford, and there is no reason for an explanation to relieve the implication.

Judge Braughn said the funding was a collateral question, and told the witness to go on.

Mr. Drury repeated what he had said, and testified that Assistant Attorney General Dibble had come into the funding board and given the opinion that it was proper for the Auditor to sign the warrants; he said he would give a written opinion the next day; Mr. Clinton said if the board voted to fund the warrants he would sign them; the board so voted, and the warrants were sent up, signed the same day and canceled by witness; the application was all that was before the board; Mr. Clinton said the best thing was to get them all out of the way by funding them; I mean nothing serruptitious, but that was supposed that was all on the market, and that they should be funded; didn't see the vouchers before the board; can not swear whether they were there or not; went to the Auditor's office myself to look at them, because I had a claim against the State outstanding; one of the clerks showed them them to me some time after the funding; received the warrants immediately after the vote; thought at first it was Mr. Mooney who brought them, but as he says he didn't I don't know who it was; I think it was Mr. Mooney, but may be mistaken; it was not Mr. Clinton; can not swear who it was, though still have the impression it was Mr. Mooney; the warrants were brought the same day; the session was about an hour; don't know who sent for the Assistant Attorney General; a boy went for him; can't tell how long the board waited; he was sent for the day before; the discussion lasted two days; he came the day the warrants were funded; he was asked to come the day before; don't know that he gave a written opinion to the board; there were no warrants or vouchers for him to give an opinion on; he expressed his opinion on the subject matter; don't know that his opinion was a speech or not; the meeting was an adjourned one, and the Governor had no notice of that meeting; don't recollect who made the motion to fund; think the Auditor was presiding; don't know that he was called to the chair by a vote; Mr. Sanford was superintendent of the St. Louis Hotel at the time Mr. Benham was president of the association that owned it.

A recess of an hour was here taken, and Mr. Drury again resumed the stand, all parties appearing somewhat refreshed, so much so that the Attorney General turned the witness over to the defense.

Mr. Drury to Mr. Semmes—Was clerk of the board in 1874, not in 1875; the discussion of the Sanford application was August 28 and 29; the character of the vouchers was discussed; some of them were said to be Pinckney Smith's warrants; it was understood it was about all, and no member opposed the funding; Mr. Dibble was present at the last meeting, the twenty-ninth; don't know Colonel Field was in the city; he had left some days before; the discussion may have been an hour or an hour and a half; no other business was done; there never was any objection to the legality of the vouchers; the question was only the one submitted to Judge Dibble, whether the warrants having been made out before the injunction was served could be signed.

To Colonel Field—Didn't see the envelopes of vouchers (packages shown him) at the time in the funding board.

Governor Kellogg, sworn—Testified that he was in the city during 1874, except during the latter part of June and first of July; remembers when the appropriation bill was passed.

Colonel Field wished to show that there were conversations on the bill with the Governor, Auditor and Attorney General.

Mr. Semmes objected to any when the Auditor was not present.

Governor Kellogg said he could not remember any special conversations, but did the fact that there were such; some parts of the bill ought to have been injoined, and being solicitous to have the excess of appropriations over revenues stopped; can't remember the precise conversations; the fact is, when the enrolled bill came for approbation came to the conclusion that the whole second section was unconstitutional, and if approved ought to be injoined; the militia and legislative appropriations were regarded as void, because indefinite; must have conversed about them with the Auditor, because the whole section was discussed: knew that the Auditor was going to leave the city; said I would like to have him remain, that he would be estopped; presume it was to relieve him from importunity, but there was no such understanding that the Auditor should be absent; it is likely he thought it was best for him to be away, but there was no understanding; he was absent about a week; wanted him back because there were some meritorious claims, Supreme Court judges, etc., that ought to be settled; during the time was here; heard nothing from March to August of the Benham $138,000; had no knowledge these vouchers had been passed by the Auditor's chief clerk and audited. [Read the proclamation of June 19, 1873.] This was from my office; it was issued at the instance of the Auditor, and the result of a consultation with him; knew there were fraudulent claims, and was trying to avoid them; recollect the act appropriating $95,000; do not know that the warrants were issued in one night; have heard so; remember a man named David Young, chairman of the Committee on Contingent Expenses; don't remember a note from the Attorney General on the subject.

Mr. Semmes objected.

Colonel Field said he wished to prove the whole force of the Auditor was used to issue these warrants in one night.

Mr. Semmes said—Suppose it were true—and he was instructed to deny it—what effect would it have?

Judge Braughn said he could not admit the testimony. That a conversation with David Young had nothing to do with the charge.

Mr. Voorhies said he had no desire to prevent the investigation, but to rule out hearsay evidence.

The question was ruled out.

Governor Kellogg, continuing, said the Attorney General was present in the city during the year up to the sixteenth or eighteenth of August; am president of the funding board; first heard of the funding of the $138,000 about the last of September; heard of it by asking the Auditor how many bonds and warrants were funded, the twenty-fourth to thirty-first pages embrace the meetings when I was not present; on the twenty-fourth is the first record of any funding of warrants; had objected to funding warrants; the motion was made by Mr. Dubuclet that all warrants be funded unless counterfeit; was not present; the meetings were not regular; no particular time; met when all agreed to; the record is meagre; was not present on the twenty-fifth, when several thousand dollars were funded; there was no dispute about them; the books were not kept in the detail they should have been and are now; on the twenty-sixth, the resolution of burning was passed and it adjourned to the twenty-seventh; there was no meeting on that day; on the twenty eighth it adjourned to Saturday the twenty-ninth; the record indicates there was no meeting afterward till November 11; expressed surprise to the Auditor on hearing of the funding; nothing could be done about it; have seen Sanford, but knew nothing of him or his business; have been told be was a friend or agent of Benham, but knew nothing of his whereabouts; was in the city, very unwell, in August; got no notice of the meetings of the board, and was not aware of them; would have voted against the funding warrants until the constitutional amendments were adopted.

On cross-examination by Mr. Semmes, Governor Kellogg said Colonel Field gave no instructions when he left what course should be pursued in the injunction; gave him no instructions to go away; was sick in August; the notices would be left in the office; in July missed another meeting; can not say that the notice was not left in the office; was not cognizant of the notices; there is a record on page sixty-nine of the the opinion of the Attorney General; Colonel Field went away about August 18, until September, October; he was not here September 14; received telegrams from him but they were not connected with funding business.

The court here adjourned to to-day at ten o'clock, and the jury were locked up.

Labor on the Levee.

We learn that the bark Elliot Ritchie, from New York, with a full cargo, was obliged to land in the Third District, owing, as before mentioned in the REPUBLICAN, to the difference in the price of labor of $1 per day. Almost all of the Ritchie's cargo is consigned to houses in the First District. In fine weather, perhaps the only real sufferer is the drayman; but in rainy weather the cost of transporting those goods from the Third District to the First, in reclamation for damage by fresh water, would amount to a much larger sum than paying the difference in labor. But why be obliged to pay $4 per day on shipboard up town, while in the batture abreast that ship men are wheeling out mud at $1 25 per day! Those same men in half a day could learn to handle a truck or help discharge a ship nearly as well as those strikers, those regulators of labor. Supposing they should leave the batture or shell wheeling business and try it!

The Charleston Delegation.

The Charleston crews and their friends arrived last night at half-past eleven o'clock, under the escort of a special reception committee from the St. John Club, who had gone over to Pass Christian to meet their guests. The delegation numbers fourteen in all, including the crews. The reception committee of the St. John Club were as follows: Messrs. E. B. Belknap, F. W. Baker, H. E. Brown, J. D. C. Stevenson, F. Fenner, H. Chalaron and R. S. Day. The members of the Charleston party are: Messrs. H. Mott Parker, W. James Whaley, W. M. Lesesne, Charles F. Hard, Henry C. Cheves, A. B. Murray, J. Bennett Bissell, H. E. Bissell, J. R. Bennett, Charles A. Savage, W. B. Chisolm, W. B. Coffin, D. F. Gleason, H. J. O'Neil and Thomas Hughes.

The Charleston visitors were escorted by their hosts to the City Hotel. This morning they will take up permanent quarters at Denechaud's and will practice at six o'clock this evening.

Checkmating the Teredo.

A special dispatch from Washington to the New York *Times* states that the New Orleans and Mobile Railroad Company has recently purchased from a firm in New York 10,000 barrels of creosote oil, to be used for the protection of their bridge timbers and piling against the attacks of the marine worm, the *teredo navalis*. This transaction illustrates the growth and progress of a new industry in this country. The *teredo* is so destructive to timber on the South Atlantic and Gulf coasts that piling is frequently rendered entirely worthless in the space of eighteen months. The use of creosote oil to prevent the attacks and save the timber has long been practiced in Europe, and its efficacy has been well proved. The New Orleans and Mobile railroad is the first to make an extensive experiment with the article in the United States.

Extra Session of the Legislature of Mississippi.

Lieutenant Governor A. K. Davis, acting Governor of Mississippi, on the fourteenth instant issued his proclamation convening an extra session of the Legislature of that State, to be held at Jackson on the twenty-seventh day of this month. The reasons set forth in his proclamation for this call are most cogent, and betoken on the part of his Excellency sagacity and a careful regard for the interests and welfare of the people. The first reason given is that the present code of the State contains no law requiring tax collectors to give bond. His second reason is based upon the prevailing doubt as to the validity and proper construction of the registration laws of the State.

Why Not?

It has been suggested that each lady visitor to the fruit growers' festival should bring one floral specimen, to be used in the formation of a mammoth bouquet. This is an excellent idea, and the plan would serve to show the exact number of lady visitors to the fair.

IMPROVED REAL ESTATE AT TWELVE MONTHS' CREDIT.—The sheriff of the parish of Orleans will sell to-day at twelve o'clock M., at the Merchants and Auctioneers' Exchange, Royal street, the following described properties, to wit:

1. A certain lot of ground, with the buildings and improvements thereon, in the First District of this city, fronting on Julia street, between Baronne and Dryades streets.

2. A certain portion of ground, with the buildings thereon, in the Third District of this city, fronting on Clouet street, between Greatmen and Casacalvo streets.

3. A certain lot of ground, in Faubourg Treme, fronting on Miro street, between St. Philip and Ursulines streets.

4. A certain lot of ground, in Faubourg Treme, in the same square, fronting on Miro street, between St. Philip and Ursulines streets.

For full particulars see advertisements.

A minister once said: "Those nice young men who stand outside the church door waiting for the girls to come out will some day stand around the inside of hell's door waiting for the girls to come in—but they won't come."

The Penitentiary.

From the Madison *Journal*, of the thirteenth instant, we copy the following shocking narrative of outrage, cruelty and crime:

It is reported that T. L. Morgan, who was convicted of manslaughter at the last term of our district court, and sentenced to hard labor in the Penitentiary for the term of ten years, died the other day near New Carthage. Morgan had killed an old colored man at Milliken's Bend, without the least excuse or palliation, and yet the jury, composed entirely of colored men, found him guilty of manslaughter only. They thought the killing was done without malice, in the frenzy of drunken passion, and hence their verdict. Morgan, who had lived at Milliken's Bend since the surrender, had always comported himself in a quiet, peaceful manner, and was well liked by all classes of his neighbors. He never had any disputes or difficulties with them, and was regarded by all as a kind-hearted, good man. He had been a soldier in the Union army, had reached the rank of captain in General Frank Blair's division, though hardly more than a boy when the war closed. The act for which he suffered was committed while under the maddening influence of mean whisky, and upon the person of one of his best friends.

But we did not sit down to write Morgan's eulogy, or to justify the homicide for which he was sent to the Penitentiary. Our task is with his murderers, for, before high heaven and the criminal law of the land, the men who, in direct contravention of law, took poor Morgan from the Penitentiary, under the burning sun of midsummer, with his delicate constitution already enfeebled by long confinement, never accustomed to hard labor, and put him at work under exacting, unfeeling and irresponsible taskmasters, which requires the most vigorous habit of the best trained laborer to accomplish in this climate at the most favorable season of the year, are his murderers. No man of common sense and experience, with a soul in his body, would ever think of putting men at levee building in midsummer in the woods of the swamps of Louisiana. The most exacting slave master, under the most pressing exigency, would never have thought of putting his slaves at such work, with the fare and treatment which are given to the convicts of our Penitentiary. Half fed and half clothed, they are incapable of the labor at any season of the year.

If the officials of this State will not put a stop to this murderous system of hiring out the Penitentiary convicts, the people should. If the good of society requires that men should be sent to the Penitentiary, it requires that they should be kept there until the term of their sentence is fulfilled. If a man deserves death, let it be administered by the rope, by the proper officers, and not by the slow, lingering, torturing process by which poor Morgan met his fate. If the lessees of the Penitentiary, in spite of the law, will hire the convicts to work on railroads, levees and plantations, let the people, in the right of self-protection and respect for the law, drive them—convicts, keepers and lessees—back to the prison where they belong. The moneys that are paid to the Penitentiary lessees for public work are the rightful perquisites of the honest laborers of the country, and they ought to have their own.

It is possible there is another side to this story. The attention of Colonel James, the new lessee of the Penitentiary, has been directed to the matter, and he has ordered a thorough and searching investigation into the facts of this case. Should the statements of the *Journal* be corroborated, the colonel will make an example of the guilty parties, which will prevent a like occurrence in the future.

The *Journal* of the same date contains the following:

Solomon Connor, alias "Frog," who was sent to the Penitentiary from this parish soon after the adjournment of our last district court, for the term of his natural life, made his appearance in Delta, last Thursday, and was arrested and placed in jail by Sheriff Cramer, where he awaits a requisition from Mr. Duncan F. Kenner's Home Manufacturing Company. "Frog" says that he was out cutting down some timber, and as the tree which he was cutting began to fall, the guards in attendance ran away, and he thought he would run too, but he took a different direction. He says there were several convicts with him at the time, three of whom attempted to escape; one was shot, and two besides himself succeeded. Of the two who made their escape with him, he says one was a white man from Carroll parish, and the other a colored man sentenced for life.

A few days ago a strange colored man, about eleven o'clock at night, hailed for a skiff to cross Bayou Vidal, opposite E. W. Smith's plantation. Horace House took a skiff over, and after suffering some abuse from the stranger for not being more expeditious, demanded two bits for his services. The stranger drew a large knife and made for House, who escaped by jumping into the bayou; but about this time Mr. A. Newton, who was near and witnessed the attack, drew his revolver and shot the stranger, killing him on the spot. An examination of the body discovered that he had on a penitentiary shirt, and he is supposed to be one of those who escaped with "Frog."

"Frog" says he don't like the Penitentiary as well as he does Delta, and we don't blame him for leaving. He came up a part of the way on the Natchez, but changed boats when he discovered that some of the crew had an idea of detaining him. Judge Hough sentenced "Frog" to hard labor in the Penitentiary for life. The Louisiana Home Manufacturing Company changed the sentence to labor on somebody's plantation or some levee or railroad. We don't object particularly to the change, but we do object to his coming to Madison parish. The warden of the Penitentiary was well advised of the character of this convict, and that he had declared that he would not remain in the Penitentiary one month. He is a treble murderer and as utterly regardless of human life as the most vicious animal that ever existed, and the people of this parish want him kept out of it.

Colonel James states that since January 1, 1875, but eight men have escaped of the gang which is employed on the railroad between Kenner and Manchac. Of these, three have been recaptured. There are now at work on the Jackson railroad track 320 convicts, sixty-five at work on the levee in Tensas parish, ninety employed on plantations, and 113 inside the prison walls.

Those on plantations were not put there by Colonel James, but by the Home Manufacturing Company, whom he has lately succeeded. They will be taken off immediately and put at other work. Colonel James promises many other reforms, which will no doubt make the Penitentiary more nearly what the law designed it to be than it has been of late. We sincerely hope such will be the case, and shall take more pleasure in recording any change for the better than we have had in calling attention to instances of mismanagement.

The Vicksburg Mail.

We are informed by Acting Postmaster McGuire that arrangements have been completed with the Vicksburg Packet Company for carrying mails between this city and Vicksburg. Mails will close at this office at 4 P. M. on Tuesdays, Thursdays and Saturdays.

Donaldson has a way of taking up reporters in a balloon and ducking them down in water. He lately dropped three newspaper gentlemen in Lake Ontario. They were much taken up with him.

BY TELEGRAPH.

WASHINGTON.

General Longstreet Overhauling the Records.

WASHINGTON, July 15.—General Longstreet called on Secretary Bristow for access to the archives of the rebellion, in order to make up his personal record at Gettysburg. Permission was granted.

The Vicksburg Mail Contract.

The Postmaster General received to-day the following dispatch from Special Agent Terrell at New Orleans: "Have closed contract with the Vicksburg Packet Company for tri-weekly service between New Orleans and Vicksburg to first of October, at the rate named in your dispatch of yesterday. Service to commence to-day. Please send blanks to the postmaster at New Orleans." The price named is $29,980. An order was issued this afternoon to readvertise the route.

The District Attorneyship.

Ex-Governor Wells, of Virginia, will succeed Fisher, district attorney for the District of Columbia.

Yellow Fever.

A dispatch reached the Navy Department from Key West, reporting one death and four new cases the previous twenty-four hours.

Minister to Belgium.

It is understood General Badeau, formerly private secretary to the President, will be appointed minister to Belgium.

AGRICULTURAL.

The Cotton Congress.

RALEIGH, N. C., July 15.—The cotton States congress adjourned to-day at one o'clock, after a harmonious and interesting session of three days. The only business of importance transacted to-day was hearing an address by the appointment of the last congress, from Colonel J. N. Bridgers, of North Carolina, on the general subject of agriculture in the Southern States. There was compelled to be a change of agriculture in this State; population and prosperity were diminishing in quantity and quality.

The loss in production from 1860 to 1870 had been enormous, while the loss in area of cultivated land was over 7,000,000 acres. He was opposed to the cutting up of the land into small farms as tending to reduce all farming to the forty-acre and mule system. The inert mineral in the earth was sufficient to produce good crops by atmospheric action. This action was to be found in its composition. The South could save $100,000,000 in feeding horses on oats and clover instead of corn and fodder. Colonel Bridger's speech was full of facts and practical suggestions, and listened to with great attention. Its publication has been ordered in all Southern agricultural journals.

A resolution, adopted yesterday, asking Congress to make greenbacks a legal tender for all dues to the government and on all importations, was recognized, and its further consideration postponed until the next session of Congress.

The grand banquet last night to the congress was a success.

SPORT.

The Last Day at Saratoga Lake.

SARATOGA, July 15.—C. H. Barbour, of Amherst, won the mile run. Time—4:44½.

W. A. Plast, of Williams, won the mile walk in 7:50.

W. R. Taylor, of Harvard, the seven mile walk. Time—65:15¼.

C. M. Culver, of Union, won the quarter mile run in 55¼.

Trumbull, of Yale, won the half-mile run. Time 2:06½.

Tyler, of Harvard, won the three mile walk in 25:23¾.

Potter, of Cornell, won the 100 yard dash in 10¾.

Morrell, of Amherst, won the three mile run in 17:07¾.

Maxwell, of Yale, won the hurdle race, 100 yards, ten hurdles, in 19½.

Eastes, of Wesleyan, won the seven mile walk in 69:49¾.

The Races at Long Branch.

LONG BRANCH, July 15.—*First Race*—The Thespian stakes, value $500, added to a sweepstake of $50, each pay or play, for two year olds; dash of three-quarters of a mile. Faithless, Freebooter and Dailgasian started. Freebooter led until entering the home stretch, when Faithless who was running second, went to the front and won easily by two lengths. Freebooter who had got the whip coming up the stretch, took second place, and Dalgasian who never had a show in the race, third. Time—1:17¼.

The second event was the West End Hotel stakes, a renewal of the Monumental Oak stakes, value $1000, added to a sweepstake of $50 each, p. p., for three year old fillies; distance one mile and three-quarters. Five started. Ascension took the lead at the start, and was never headed, and on the last half mile fairly ran away from the others, winning in an easy gallop by fully six lengths; Gyptic second, Firework third, Katie Pearce fourth, and Lizzie R. last, almost an eighth of a mile. Time—3:11¾.

Third Race—Grand jockey purse, $2000, for all ages; two mile heats; only two horses started; Littel's bay colt, Wildidle, and Donahoe's four year old chestnut colt, Dublin, the former being the favorite at odds of three to one in the pools sold before the start. The first heat was won by Wildidle by eight lenghts. Time—3:40¾. The second heat and the race was also won by Wildidle, beating Dublin by two lengths. Time—3:47¼.

Fourth Race—Long Branch stakes, one and three-quarter miles. Four started. Won by Mate by six lengths before Spendrift, Audubon an eighth of a mile off. Time—3:06¼.

This is the second best time on record and the fastest at the weight. Mate was never headed in the race and won easily.

In the members' race five started, and it was won by The Hoaxer, Vernango second, Running third, Scramble fourth and Remorse fifth. Time—1:51¼.

FOREIGN.

Heavy Rains and Overflowed Country.

LONDON, July 15.—Dispatches from all parts of the country bring intelligence of very heavy rainstorms. The Central News Association publishes a dispatch announcing that an immense dam in Cinderford valley, Gloucestershire, has burst, renewing the danger in the Dean forest which it was previously thought was averted. No loss of life reported.

Heavy rains have caused much damage in Wales. The river Ogmore, county of Glamorgan, has overflowed its banks, inundating the town of Big End. One person and much live stock drowned. Great damage has also been done to property. The water in a reserve pond for supplying the Monmouthshire canal at Concannon, burst through its banks, and thirteen persons were drowned by the flood.

There is a flood in the Cherwell valley, near the town of Banbury, county of Oxford England, and the water is still rising. The crops, especially hay, have suffered severely.

Much damage has been done in Devonshire by the rain storms. The rivers and streams are swollen, and at a number of places there are inundations. By the bursting of Monmouthshire reservoir a factory and number of dwellings were destroyed.

The river Ebbro has overflowed. Boats are plying in the main streets of the town of Monmouth. Similar reports of inundations come from Ross and Hereford, county of Hereford, and Carleon, county of Monmouth.

Fears are entertained for the safety of the foundations of the Ross, Monmouth and Wye valley railways. At eight o'clock to-night the water in the overflowed streams was still rising.

The rivers which pass through Bristol and the lower portion of that city are

[CONTINUED ON FOURTH PAGE.]