New Orleans Republican.

FFICIAL JOURNAL OF THE UNITED STATES

FFICIAL JOURNAL OF NEW ORLEANS

AUCTION SALES TO-MORROW.

Y MACON, ELLISON & CO., at 12 o'clock, at the Council Chamber, City Hall, revenues of the city markets.

Local Intelligence.

BURGLARS AT WORK IN ALGIERS.—Some me during Friday night the residence of rs. Bratt, on Peter, between Seguin and ouny streets, Algiers, was entered by some nknown thief or thieves, who effected an trance by forcing the front door open. hey entered the bedroom of Mrs. Bratt, rced open the armoir and helped them lves to several valuable articles, valued all at about $800, which they carried off, aving no clue behind them.

EXCURSION TO PASS CHRISTIAN.—The eunes Amis Benevolent Association will on an excursion and basket picnic to ass Christian, Mississippi, on Monday, une 5, 1876. The cars will leave the depot the foot of Canal street at half past seven 'clock in the morning and return the same ight. The price has been fixed at $1 for he round trip. The committee of arrangeents is composed of the following gentleen: G. C. Belot, E. P. Blanchard, A. Frilot, Corre, E. H. Duvousseau, George D. eddes, R. Learson and H. Fournier, who ill do everything in their power for the omfort, safety and pleasure of their guests n the excursion.

BRIEF MENTION.—Louis White was arested at the corner of Poydras and Rampart streets by Officer Hill with four boxes f patent dryer in his possession, and ocked up in the central station charged with having property in his possession supposed to have been stolen.

H. G. Washington was arrested and ocked up in the fourth precinct station rom the corner of Basin and St. Louis treets charged with picking a stranger's ockets.

J. G. Williams was arrested at the corer of Customhouse and Franklin streets, where he was on a lark and having a high ime in general, breaking window glasses, hairs, tables, and everything that was within his reach.

Francisco C. Garcia, J. D. Lefebe and C. A. Rosenon, three lottery vendors, were arrested in the Second District and locked p, charged by Mr. Julius Dumas with violating act No. 9, 1874, relative to the sale of unlicensed lottery tickets.

Jules Ortiz was arrested at the corner of Dauphine and St. Philip streets, and locked up in the third precinct, charged with assaulting Louis Keller with a dangerous weapon.

Edward Cromery was arrested and locked up in the fifth precinct, from the corner of Poet and Royal streets, charged by his wife with assault and battery with a dangerous weapon, and attempt to kill.

Vessels in port—Nine steamships, nineteen ships, twenty barks, six brigs, twelve schooners.

In the treatment of female diseases and all nervous affections, florine, one of the recent discoveries from the cotton plant, is a certain specific. M. B. Morrison & Co., agents.

INDEPENDENT ORDER OF GOOD TEMPLARS.—Mr. Thomas H. Jones leaves us to-day for a short time, to be present as the representative of the Grand Lodge of Louisiana at the session of the Grand Lodge of the World, which will meet in Louisville, Kentucky, on Tuesday next, May 23.

Grand opening of Grand Hotel at Point Clear on June 1.

THE COGAN BURGLARY.—On the night of the fifteenth instant the clothing store of Mr. Michael Cogan, No. 19 Canal street, was burglariously entered and robbed of a lot of clothing, jewelry and valuables. Acting Superintendent of Police R. A. Bray has been indefatigable in his efforts to secure the thieves, to whom no clew was had. He placed the case in the hands of Captain Malone, who immediately put the whole detective force to work in attempting to ferret out the thieves. On Wednesday Detective Hennessey discovered Lee Johnson and Joseph Edwards on Camp street, offering for sale some of the stolen property. He succeeded, after a struggle, in effecting their arrest, assisted by some citizens, and recovered five silver-mounted pistols and two pipes, which were identified by Mr. Cogan as being some of those stolen from his store. On the eighteenth instant Superintendent Bray recovered, in the Third District, fourteen pairs of pantaloons, one coat, one shirt and two traveling bags. On the same day Captains Malone and Rey and Detective Hennessey recovered, in the Second District, thirteen pairs of pantaloons, two traveling bags, one hat and one pair of socks, all stolen from Mr. Cogan's store. Detective Cain also recovered a silver-plated sugar-bowl, stolen from Ed's House a few days previous to the robbery of Mr. Cogan's store by the same gang.

Detectives Hennessey and Pecora succeeded in arresting, yesterday morning, Charles Porter, alias John Henry, and at two o'clock yesterday morning Captain Ray, of the fifth precinct, arrested Frank Mitchell, the fourth one of the gang that entered Mr. Cogan's store, and recovered some new underclothing and traveling bags. Taylor Anderson, the last one of the gang, was arrested last night, at seven o'clock, by Detectives Cain and Stahlberger.

These thieves are a gang from St. Louis, and it was for some time impossible to find their crib, as they were always dressed as roustabouts. There is evidence sufficient to convict them all, and their chances for serving a term in the penitentiary are extremely good. They have for some time past been plying their nefarious occupation here.

SHOOTING AFFAIR.—A difficulty occurred about half past ten o'clock last night at the corner of Music and Rampart streets, between John Carter and Joseph Soiret, during which the latter was shot and wounded with a pistol by the former, the ball taking effect in the left arm. Carter succeeded in making his escape. The difficulty was about a woman. The wounded man was conveyed to his residence, No. 352 Moreau street.

The Temperature.

The thermometer at Louis Frigerio's, No. 50 Chartres street, stood as follows May 20: At 8 A. M., 82°; at 2 P. M., 86°; at 6 P. M., 82°. Lowest point during the night of May 19, 72°.

A New Southern Attraction.

The busy season is near its close, and our citizens are conning their summer's programme of pleasure and recreation. The centennial exposition will draw large numbers to the Quaker metropolis, but it is gratifying to note that more than ever before is a disposition manifested to seek in Southern resorts that health and enjoyment which it has been too much the fashion to purchase at great cost in distant places. For two or three years this tendency to support home institutions has been notably on an increase, with the very natural result that attractiveness and facilities have kept pace with enlarged patronage, until a culmination has been attained in the erection of the "Grand Hotel," at Point Clear, which leaves even habitual visitors to the famous caravanseries of Saratoga, Newport or Longbranch nothing to wish for.

On one of the lovliest sites of the entire American coast, where invigorating sea breezes mingle with health-giving zephyrs from scented pine forests, where drives and promenades through groves of spreading oaks and magnolias woo lassitude from the invalid and the indolent, Messrs. H. C. Baldwin & Co. have erected a hotel unsurpassed for completeness in all its appointments. Every comfort and convenience of a first class fashionable watering place can be had at the Grand Hotel. Its fittings and arrangements are superb and wholly new. Its facilities for billiards, ten-pins, boating, shooting, fishing, driving, etc., are complete and under experienced management, so that the man of the world need fear no deprivation of accustomed pleasures; while a superior band will be ever ready at the call of Terpsichore's devotees.

That the capacities of Captain Baldwin's magnificent establishment will be thoroughly tested by the elite of Mobile and Montgomery society seems already assured, and we can safely promise a full representation from the Crescent City during the glorious Southern summer evenings now so near at hand. Point Clear was ever popular with our people, and many pleasant reminiscences linger with them and recall by-gone men and times. Under the new regime, with such reasonable charges as are asked, the old popularity can not but be increased. The rate for board is to be only $50 per month, or $2 50 per day. Passengers leaving New Orleans on the morning train arrive at Point Clear to dinner. The beautiful and fleet steamer Annie makes daily trips from Mobile to the point. All letters for further information should be addressed to H. C. Baldwin & Co., proprietors, Point Clear, and promptly, too, for the formal opening will take place by the first of June.

The Indian War.

A Fort Laramie dispatch to the Chicago *Tribune* says:

The Indian war, for years predicted, has actually begun. For months murdering of white men has been confined to the Black Hillers, but now a United States mail carrier, en route to Camp Robinson and Red Cloud Agency, has been killed, scalped and fearfully mutilated.

This news was brought here to-day by General Crook's party, returning from the agencies. Well informed persons in Indian affairs say, in fact, that this attack was intended for the General, as it occurred only fifteen minutes after that party and he had passed each other on the road.

General Crook, accompanied by Colonel Stanton and Lieutenant Bourke, had been to the agencies trying to obtain the assistance of the peaceful Indians in subduing the hostile bands of Sioux. At first it seemed this much desired object was secured. Such chiefs as Conquering Bear or Sitting Bull or Two Strike stating in council their willingness to join in keeping peace on the frontier and putting down murdering and stealing by dog-soldiers, renegades, Cheyennes, and bad-faces.

This council was held in the absence of Agent Hastings and Indian Inspector Vandevere. On their return a total change of sentiment took place. The chiefs insolently declined all offers by government officers to help police these plains. The sudden chopping round, it is said, is due to the secret influences of Hastings and Vandevere. It is to be hoped so serious a charge is not true, for it would otherwise seem as if they did not desire the northern bands to be punished and made to acknowledge the authority of the government to put them on reservations.

As soon as the Indians became insolent, General Crooke broke up the council with a brief "That will do. I don't want you." This may have been the occasion of the premeditated attack, which failed in its original design, but the fact that Red Cloud's son-in-law was wounded while attacking a party of whites on Indian creek, and other evidences, point to the conclusion that, if the Indians leave the agencies, the military will be unable to protect settlers.

Every party arriving here from the Black Hills brings additional news of another killing by Indians from the agencies. To-day news is received of Jim Sanders and four others, killed on Sand Creek. Sanders was an old plainsman, having been a guide, hunter, wagon-master and contractor for the government before General Harney's time.

Eighty lodges of Ogalallas have left the Red Cloud agency to join in the war. This is thought to be only a forerunner of a general exodus of all but the old men, squaws and children.

Colonel Stanton held a council for General Crook with Spotted Tail, chief of the Brules, about Indian scouts for an expedition. Old "Spot" replied that he had made a big name as a warrior when a young man, but now he was old and did not want any more glory, and his young men could not fight without him. Companies H, G, and C, Ninth Infantry, Burt, Burrows and Munson, leave in a few days for Fort Fetterman, where Crook's Powder river expedition against Sitting Bull will rendezvous.

Meteorological and River Report.

The following statement of the weather and rivers is furnished by the Signal Service office stationed at New Orleans:

AFTERNOON REPORT—3:43 P. M.

Places.	Ther.	Wind.	Weather.
Cairo	86	S. W.	Fair.
Cincinnati	89	S. W.	Clear.
Davenport	75	S. W.	Fair.
Dubuque	77	S. W.	Fair.
Galveston	87	S. E.	Fair.
Indianola	81	S. E.	Cloudy.
Keokuk	80	S. W.	Fair.
Lacrosse	77	S.	Clear.
Leavenworth	80	S. W.	Fair.
Louisville	88	S. W.	Fair.
Memphis	86	S. W.	Fair.
Nashville	88	S.	Fair.
New Orleans	79	N. E.	Cloudy.
Omaha	83	S.	Fair.
Pittsburg	87	W.	Fair.
Shreveport	82	N.	Cloudy.
St. Louis	85	S. W.	Fair.
St. Paul	80	S.	Threatening.
Vicksburg	85	S. W.	Fair.
Augusta	94	N. W.	Fair.
Mobile	88	S.	Fair.
Montgomery	91	S.	Fair.
Key West	84	E.	Hazy.
Savannah	89	S. W.	Cloudy.
Coraicana	85	S. E.	Cloudy.

RIVER REPORT—3 P. M.

	Rise, inches.	Fall, inches.	Above low water mark Ft.	In
Cairo	..	18	37	5
Cincinnati	8	..	15	6
Davenport	..	..	10	10
Dubuque	3	..	13	9
Evansville	..	1	11	10
Helena	1	..	42	1
Keokuk	2	..	12	6
Lacrosse	8	..	8	4
Leavenworth	1	..	9	3
Louisville	..	..	7	4
Memphis	..	..	33	8
Nashville	..	10	7	10
New Orleans	..	1	*3	1
Omaha	..	..	5	7
Pittsburg	..	16	7	7
Shreveport	..	2	20	4
St. Louis	..	11	24	8
St. Paul	1	..	10	3
Vicksburg	..	..	44	9

*Below high water mark of 1874.

Grand opening of Grand Hotel at Point Clear on June 1.

The Shotgun Policy in the South.

Louisiana seems resolved to destroy the Democratic party. Two years ago, when the country was on the point of accepting the *Herald's* idea of a national convention of peace and reconstruction, the White Knights, or some such gang, overturned the regular government, compelled General Grant to issue a warlike proclamation, and revived in an hour the spirit of Sumter. In an hour all hope of any such convention faded away. Now, on the eve of a most important election for the Presidency—an election that will determine the control of the nation for four and perhaps forty years—we have news of another outbreak in Louisiana. The results of this we sum up as follows: "Eight colored men shot; four hanged; twenty wounded; no whites killed." Another source reports: "Sixty blacks killed." Another says: "Three whites killed." The sheriff reports: "Seventeen colored men killed and many wounded."

In noting this occurrence we may say, in the first place, that all news from the South, from the Associated Press reporters and the newspaper correspondents, may be accepted as friendly toward the Democrats and the whites. It has been so at least since the war closed. Therefore, if these accounts have been exaggerated, it is in favor of the whites and not the negroes. The whites write and talk and use the wires; they have the ear of the country, and it is their story upon which we now comment. It is certainly a painful story. We talk of reconstruction, of pure government, of bringing the old sections together. The majority of citizens in the North have no purpose so dear to them as the political, personal, social and commercial restoration of the Union. To bring about these results, to forever extinguish the painful memories of the war, to enable the South to resume her once proud position, there is nothing we would not do, nothing except to cancel the results of the war. And yet there seems to be a party in the South which will have peace on no other terms. This party recognizes that the negro has been freed from personal slavery, but it proposes to reduce him to political slavery. It was conquered by the rifle; it proposes to conquer by the shotgun.

It is time for us to speak with the utmost plainness to our friends in the South. There can only be one end to this shotgun policy. These constant stories of assassination on the Red river, of conventions dissolved by force, of riots, with "twenty negroes killed and one white man wounded;" of revolutions like that against Ames in Mississippi; this proscription of Northern men as "carpet-baggers" and of Southern Republicans as "scallawags," this assumption that because a citizen of New York removes to North Carolina and dares to go into politics as a Republican he must necessarily be a scamp and only be treated as an outlaw, this ostracism and proscription, and above all, these cruel, brutal, inhuman murders of negroes that we have seen in New Orleans, Memphis, Vicksburg, and Colfax, and which we now witness at Bayou Sara, only defer a true reconciliation between the sections. It is no answer to say that these outbreaks result from the misgovernment of men like Moses, Whipper and the rest We admit their errors. We have censured the general government for permitting them to hold power. But this is no excuse for the scenes that take place in Louisiana. See how New York was misgoverned five years ago. See the misgovernment in Chicago today. There is nothing in the history of the South to compare with it. But neither New York nor Illinois would stand excused for a moment if the reign of thieves had given place to the reign of assassins.

We can only attribute riots like those we have seen so often in the South, and which we now see in Louisiana, to the reign of assassination. The law-abiding men of that State must deplore it as much as we do in New York, and we trust they will take up arms and suppress it. We can not think of the gallant sons of Louisiana—the men who followed Beauregard over so many bloody fields—going with shotguns into the swamps to murder negroes. We appeal to these men to put an end to this reign of assassination; for, if they do not, the general government will. Even if there were a Democratic majority in the House as large again as the present the people of this republic—who fought the war for the Union—would never submit in silence to a union which permits the repeated assassination of citizens for their principles. Upon this point there must be no misunderstanding. We differ about a hundred things, but on this point we do not differ. Unless there is an end to this negro killing; unless this reign of assassins—who, whether they call themselves Ku-Klux or White Camelias, are assassins, cowardly and cruel, because they select their victims from an inferior, helpless, amiable and inoffensive race—is terminated; unless the best sentiment in the South at once punishes these men, and prevents a recurrence of their crimes, the strong arm of the general government will fall upon them. Once compel Grant to draw the sword "for the protection of Union men" and there will be no need of a campaign for the presidency. Once revive the Sumter spirit and the delegates to St. Louis may as well remain at home. Bayou Sara "riots" will determine the canvass. We all remember how the country thrilled with horror when Lieutenant General Sheridan denounced the leaders of the Camelia lodges and Ku-Klux bands as "banditti." We all remember how the citizens of New York arose in indignation at the "insult" thus thrown upon a people by a military commander. But as we read this revolting dispatch from Bayou Sara, the question arises, "May not the brilliant and illustrious Sheridan have been perfectly right, even in the extravagance of his denunciation, and may not the honor and peace of the nation demand that he go at once to the Southwest to put an end to this reign of terror and death?"—*New York Herald.*

The Barbadoes Rebellion.

The story of the rise of the rebellion which created so much consternation and destruction in the Borbadoes in the latter part of last month is one of thrilling interest. The brief telegraphic accounts which were published from day to day during the disturbances gave but a faint idea of the formidable character of the uprising of the colored population in opposition to the scheme of confederation proposed by Governor John Pope Hennessey, the ruler appointed by the British government to administer the laws and care for the colonies. The narrative was given quite fully to a *Post* reporter yesterday by Captain Wharton, of the schooner Alpha, an old and respected seaman, who has been engaged in the West India trade for many years, and who sailed from the islands on the twenty-fourth of April, with a cargo of molasses for this port. The captain says the confederation scheme referred to was the source of the whole difficulty. Governor Hennessey proposed many radical and unpopular changes in the government of the island. The chief feature of the obnoxious scheme was the union of the Barbadoes, including the three comparatively insignificant Windward islands, to be represented in one legislative body composed of twelve members, to be appointed by the Governor from the different parishes of the group. This was a change indeed. Heretofore the Legislature had consisted of two bodies, called the Council and the Assembly, made up by the representatives from each of the parishes of the island, chosen by the popular vote. The native islanders objected to this summary disposition of what they considered their constitutional rights; hence the rebellion. During the month of April the situation grew alarming. The populace seemed to look upon their Governor as a tyrant, and rather than submit to his unreasonable schemes, determined to destroy the sources of revenue on the islands. The merchants of Bridgeport appointed a committee to wait upon the Governor on the twenty-first of April to ask protection from the impending invasion and to petition for troops to quell the rebellion in the parishes. They received his sanction, and raised five companies of volunteers, making in all about two hundred and fifty men, mostly clerks, mechanics and laborers, connected with the business houses of the town. If generally armed, this military body concealed their weapons, as it was considered illegal under such circumstances to expose them. Riots spread throughout the parishes, and Captain Wharton says a dozen plantation fires during a night was no uncommon sight. The negroes burned furniture, dwellings and crops. They dug up the potatoes, burned the canebrakes in the rural districts, and stole all the property they could get hold of, to terrify and impoverish their enemies. Troops were sent out by Governor Hennessey to meet the rioters, and by the twenty-fourth of April eighteen prisoners had been captured and among them a ringleader named Morris. Seven of the eleven parishes were now in arms. Colonel Clements, the inspector general of police, was attacked at the head of his men and received a severe cut in the head. He wounded two of the rioters and killed one of them. The city of Bridgeport was threatened by the infuriated insurgents, and many of the families of the resident merchants fled and took refuge under the flags of the merchant vessels in the bay. But they returned before nightfall to their dwellings, when it was assured that the city would not be pillaged. On the twenty-fifth, as has been told in the telegraphic accounts, the gorvernment troops met and dispersed the insurgents killing and wounding more than forty and capturing more than 500 more. From that time onward the government had the upper hand. But the feeling against Governor Hennessey grew strong, and was fearlessly expressed by many on the island. The three islands which the confederation contemplated uniting are small and of no considerable importance. Their food supplies come from the main island, and they are generally dependent upon it. The immense destruction of the potato and sugar crops will necessitate a large importation of American products, and orders have been given to New Orleans vessels for grain and potatoes. The prisoners captured which were not shot were taken to the central station in Bridgeport where they await military trial. The island at last accounts had resumed its usual tranquility.—*Boston Post.*

Eureka! I Have Lost It!

The *Times* is happy, or was yesterday morning. It had at that time discovered the true inwardness of the Coushatta assassination. "The shooting of Twitchell and King, at Coushatta," says the *Times*, "proves to have been a genuine outrage, but it grieves us to assure our Radicals friends that it will not satisfy their loyal souls. Senator Twitchell did not die. He has recovered sufficiently to give the name of his assassin, and charges the commission of the crime upon one Thomas Bean. Then the public desires to know something of the antecedents of this Democratic ruffian, and is astonished by the discovery that he is no Democrat at all, but a Radical of the most pronounced type and the most villainous characteristics. He is so well known in the region round about Coushatta, that his name is familiar as household words." Then follows an account of how Twitchell and Bean were political partners in 1873; how Bean was a supervisor of elections when Twitchell was a candidate for the State Senate; how Twitchell now confesses that he promised to pay Bean $1000 for suppressing returns; how, when he was elected to the Senate, Twitchell refused to keep his contract, and how Bean attempted to get even by shooting him with a sixteen-shooter and a revolver. The *Times* does not inform its readers of the source of its information, but prints the statement above indicated simply as the confession of Twitchell.

The truth is this entire story grew out of a false rumor, put in circulation by an unknown passenger on the steamboat Durfee, landed at New Orleans from Red river on Tuesday last. The Democratic papers of New Orleans printed the sensation on Wednesday morning with flaming headlines, and flattered themselves that they had a dead thing on that little Coushatta affair. But the evening papers exploded the canard, even Democratic papers being compelled to crawfish. In fact it was discovered that Captain Bean, the person thus attempted to be "scapegoated," had not been out of New Orleans for many months. Later in the evening it was ascertained that Governor Antoine had received a letter from Twitchell contradicting the statement that he had named Bean as his would-be assassin, that, in fact, the man who attempted his life was unknown to him, and that the life of his attending surgeon had been threatened. Secretary Clarke also stated to newspaper interviewers that Bean had called upon him since the sensational report had been printed; that to his personal knowledge Bean had not been out of the city for three months, and that the slandered man proposed to bring suit for damages against all the papers that had given currency to the falsehood. Mr. Clarke further stated that the mysterious person who, it was claimed, had originated the story, and who, it is said, pretended to have come to New Orleans on the steamer Durfee with communications for State House officials, had not been seen at the State House at all.

Thus it will be seen that the morsel which the *Times* r-o-l-l-e-d under its tongue with such pleasure, was simply a bit of aloes after all.

The readiness with which Democratic papers seek to shift the responsibility of the terrible tragedy at Coushatta upon Republican shoulders is strong evidence of a painful knowledge on their part that the bloody work was done by Democratic hands.

The exact truth concerning the horrible butchery will perhaps never be known. Twitchell did not recognize his assailant, or he fears to speak, surrounded as he is by enemies, with even the life of his surgeon threatened; and when it is remembered that the people where the murder was committed were so interested in the alleged arrival of a mail at a little country postoffice that they had no time to spare for the identification or arrest of the criminal, we have but little hope that he will ever be brought to justice.—*St. Louis Dispatch.*

Senator Edmunds' Civil Rights Bill.

The bill reported by Mr. Edmunds from the Senate Judiciary Committee is, with certain amendments, the measure introduced by Mr. Morton last month, supplemented to the civil rights law of 1870. As now reported, it provides that if under the authority of the United States, or any State or Territory, any act is required to be done as a prerequisite or qualification for voting, every officer or person charged with the performance of the duties in furnishing to citizens an opportunity to qualify as voters shall give to all citizens equal opportunities without distinction of race, color or previous condition of servitude, on penalty of being fined for each offense not less than $500 or of imprisonment from one month to one year, or both, at the discretion of the court. Every offender is also to be liable to forfeit and pay to the person aggrieved the sum of $500, together with costs and such allowance for counsel fees as the court may direct. The second section of the bill provides that any person or officer of the United States or of any State, who denies or abridges to any person entitled to vote under federal or State laws the right and opportunity so to vote by reason of race, color or a previous condition of servitude, shall be fined a sum not exceeding $1000, and imprisoned for a term not exceeding two years.

The third section provides that officers of election shall receive and count the vote of every person who offered to qualify and was denied on account of his race, color, etc., the opportunity to perform the prerequisite act prescribed, and a failure to receive and count any such vote will make the election officer liable to all of the penalties and forfeitures named in the first section.

The fourth section prescribes these same forfeitures and penalties against any person who shall, of himself or by combination with others, by force, bribery, intimidation or other unlawful means hinder, obstruct or prevent any citizen from qualifying to vote on account of his race, color or previous condition of servitude. The bill finally provides a punishment of at least $500 fine or imprisonment from one month to one year, or both, at the discretion of the court, for any person who attempts to hinder, control or prevent any citizen having the right of suffrage from exercising it on account of race, color, etc., by means of bribery, force or intimidation, or by threats of depriving him of employment or occupation, or of ejecting him from any house, land or other property, or by threats of refusing to renew leases or contracts for labor, or by threats of violence to himself or family.

The committee amend the title so as to make it "a bill supplementary to the present statutes in aid and defense of the constitutional rights of citizens."

Grand opening of Grand Hotel at Point Clear on June 1.

COURT RECORD.

SATURDAY, MAY 20, 1876.

United States Circuit Court.

Proceedings before Hon. W. B. Woods, circuit judge.

United States vs. Dennis O'Brien et al.—Conspiracy to defraud. Prosecution not yet finished.

Supreme Court.

Present—All the judges.

The following opinions were rendered:

BY CHIEF JUSTICE LUDELING.

No. 5715. Stoddart Howell vs. city of New Orleans, appellant.—From Superior District Court. Injunction on execution for want of citation. No evidence was produced for it. Judgment reversed and injunction dissolved, with twenty per cent on the amount.

No. 5810. Rufus Waples, appellant, vs. city of New Orleans.—From Superior District Court. For balance of rent and damage for injuries for building leased for schoolhouse, abandoned by the lessee during the absence of plaintiff. The lessee should have given the notice under C. C., 2686. In default of that the lease continued. Damages $2500; rent $40 per month. Judgment reversed.

No 6291. Succession of Owen J. Donnella; absent heirs, appellants.—From Second District Court. Three witnesses support the pretensions of plaintiff. None saw the will signed by testator. C. C., 1655; 25 A., 85. The plaintiffs have utterly failed to adduce legal evidence to prove an olographic will. Judgment reversed and suit dismissed.

BY JUSTICE TALIAFERRO.

No. 6243. Succession of John K. Elgee; opponents, appellants.—From Second District Court. Judgment dismissing opponents and homologating the accounts affirmed. Justice Howell concurs in the decree.

BY JUSTICE HOWELL.

No. 5807. Succession of O. and Ann Mc. Call; administrator, appellant.—From Second District Court. Judgment reversed, and purchasers at sale, May 30, 1874, ordered to comply with their bids and accept the property, or it be sold at their risk. Justice Wyly, Justice Morgan with him, dissents.

No. 6218. School directors vs. R. K. Anderson, appellant.—From Thirteenth Judicial District. For dissolution of a sale to defendant's ancestor on the ground of nonpayment of price. Defense—1. Default. C. C., 1912. The article does not apply to the case. 23 A. 355. 2. Prescription. Because the notes are prescribed it does not follow that the action is prescribed. 24 A. 537. 3. On revenues and improvements a restitution must be made. Judgment amended and affirmed.

Justice Wyly dissents.

BY JUSTICE WYLY.

No. 5395. New Orleans Savings Institution, appellant, vs. P. W. Leslie.—From Superior District Court. The city of New Orleans has no privilege superior to a special mortgage note of $3000, recorded June 21, 1871, for the taxes of 1868 and 1869, which were not recorded till 1873. Const. 123; act No. 42 of 1871, sections 66, 67, 95, 1869; 22 A. 278; 23 A. 270, 694, 695; 24 A. 25; 25 A. 232; 26 A. 80, 350, 351. Judgment reversed and recorder ordered to erase the privileges of the city recorded for 1868 and 1869.

No. 5762. State vs. Richard Taylor.—From Superior District Court. On rehearing, former decree left undisturbed.

Chief Justice Ludeling, in an opinion of great length, dissents.

Justice Taliaferro concurs with the Chief Justice.

No. 5966. Mrs. E. J. Lavergne, appellant, vs. city of New Orleans.—From Superior District Court. The advertisement of tax bills is sufficient notice. Plaintiff has never disposed of her property, assessed in her name. Judgment affirmed.

BY JUSTICE MORGAN.

No. 5548. New Orleans Sanitary and Fertilizing Company, appellant, vs. Board of Health.—From Superior District Court. Mandamus to compel enforcement of act No. 102 of 1874, section two. It is repealed by act No. 46 of 1874. Judgment affirmed. Justice Wyly dissents.

No. 6259. Jean Dutrey vs. B. Laguens, appellant.—From Fifth District Court. Defendant's wife dying after judgment against him he seized the property as tutor of minor children. The Fifth District Court had jurisdiction; it was not strictly a succession matter. The proceeding by rule was proper. Judgment affirmed except as to minor's mortgage, which is annulled.

Superior District Court.

DECISION BY JUDGE LYNCH.

L. C. Roudanez et al. vs. Mayor and Administrators of New Orleans.

In granting a suspensive appeal in this case, in compliance with a peremptory mandamus issued by the honorable the Supreme Court, I deem it my duty under doctrine and action of that court in the case of the State vs. the judge of the First District, 19 L., 167, and also in the recent case of the State ex rel. Temple S. Coons vs. the judge of the Superior District Court, to require under the circumstances of this case the appellants to file with the clerk of this court their additional bond in favor of the intervenor with good and sufficient security in solido, conditioned that said appellants shall pay all such damages as the intervenor, the said New Orleans Pacific Railroad Company, may sustain in case it should be decided that the injunction heretofore obtained has been wrongfully sued out and illegally and unlawfully kept in force on the appeal herein taken.

It is therefore ordered that said intervenor, the New Orleans Pacific Railroad Company, appear before this court on Saturday, the twenty-seventh instant, at 11 A. M., and present their proof as to the probable injury the said company may sustain by the issuance of said injunction and its being kept in force by virtue of said suspensive appeal. It is further ordered that the plaintiff and appellants be notified to be present at the taking of the said testimony, and to present to the court such evidence as they may have to offer in the premises.

State ex rel. the Attorney General for Thomas Carey, tax collector of Third District, vs. John Barrow, claiming the office under a later commission.—Jury discharged, having returned a sealed verdict.

Citizens' Bank vs. Recorder of Mortgages.—Application that defendant erase the claims for taxes on its property for 1872-4, on the ground that it is exempt by its charter.

Superior Criminal Court.

State vs. James L. Prestidge.—Murder. The following is the charge of Judge Steele:

GENTLEMEN—This very important case will soon be submitted for your action. You have heard the evidence and arguments of counsel, and it is now my duty as presiding judge of this court to charge you as to the law applicable to the case. Under our law the court is not permitted to say what has or has not been proven, or to even refer to the evidence. I shall be very brief in my charge, confining myself strictly to the law, and it will not be my purpose to indicate my views as to the facts, nor shall I say anything to you for the purpose of stimulating or urging you to do your duty.

It is for me to see that the trial is property conducted, and that you are not deceived as to the law; further than this you alone are responsible to God and to society for the manner in which you shall discharge your duty. In considering this case you will find your work much easier if you will keep in mind the fact that your action is official only; that you are sworn officers of the law acting for the people and have no authority in the premises to act according to your notions or wishes, but as jurors in compliance with your oaths must conform your action to the law and the evidence. Your verdict should not be any indication of your feelings or sympathies, but if you are true men and worthy of this important trust, as I believe you are, your verdict will indicate your honest conviction as to the law and the evidence in this case.

The accused is charged with the highest grade of felonious homicide, willful murder. Murder, as has been stated to you, is committed when a person of sound mind and discretion unlawfully kills any reasonable creature or being, in the peace of the State, with malice aforethought, express or implied. Then, with this definition of the crime of murder, you will have to find, in the case at bar, to authorize a verdict of guilty, that William D. Hardeman is dead; that he came to his death in this parish, by violence at the hands of the accused; that the violence which caused the death of the deceased, Hardeman, was the result of the unlawful act of the accused, James S. Prestidge, and that the accused was actuated by malice, either express or implied. Assuming, as I believe is admitted, that Hardeman is dead, that he came to his death in this parish by violence at the hands of Prestidge, then you have only to inquire, was the violence used by Prestidge lawful or unlawful, and was he or not actuated by malice? If you find that the act of Prestidge was unlawful and with malice, then the offense is murder. If unlawful, but without malice, then the offense is manslaughter.

I will now instruct you as to the legal meaning of the words "malice aforethought," as used in the definition of the crime of murder. In its legal sense this term means not only hatred, spite, ill will and animosity to the deceased, but also characterizes all acts done with an evil disposition, a reckless disregard of the lives and safety of others, such as indicate a heart void of a just sense of duty, and fatally bent on mischief.

You will then observe that the term malice in its legal sense, as used in this connection, may simply indicate a wicked heart, and to constitute murder in case of intentional killing there is no need the intent to kill should have existed any particular time before the act is performed, provided it appears to be a deliberate, willful act. Thus in the crime of murder, which is always stated in the indictment to be committed with "malice aforethought," it is neither necessary, in support of such indictment, to show that the prisoner had any enmity to the deceased, nor would proof of absence of ill will furnish the accused with any defense when it is proved that the act of killing was intentional, and done without any justifiable cause.

The accused and the deceased may have been strangers or friends up to the time of the occurrence, still the law implies malice where the killing was the result of any deliberate wicked and cruel act, committed, however sudden, without any or without considerable provocation. The law assumes that no person, unless of an abandoned heart, would be guilty of such an act upon a slight or no apparent cause. With this explanation you will understand what is intended in law by the words implied malice.

We now come to the consideration of the distinction between murder and manslaughter. No provocation will justify a man in killing another, nor will it excuse him killing on provocation; there must be murder or manslaughter. Where one kills another upon reasonable provocation in the sudden transport of passion (and without any such wicked, cruel act as from which the law implies malice), the offense is manslaughter. This is an allowance made by the law for the frailty of human nature. In considering the right of self-defense and what provocation will reduce the offense from murder to manslaughter, very little aid can be given men of your intelligence, but I will give you these few general rules by which you may measure the facts and circumstances of this case, always bearing in mind that the first object in society being to protect life. The laws will not for any light reason excuse the man who has assumed to kill his fellowman. On the contrary, he must be prepared to show that he had good reason to believe it was necessary to save his own life or to protect himself from some great danger then immediate and pressing upon him, that he should have done the act which resulted in the death of the deceased, and that in resisting this real or supposed danger he only made use of means in some reasonable proportion to the character of the attack. Every citizen has the right to resist force by force in the necessary and lawful defense of his person or that of his family, and when it appears that a murderous attack is made with the immediate intent to commit a felony, the one attacked must not fly, but he may stand his ground and face his adversary even when necessary, without being guilty of any crime, and this does not conflict with the old rule, which still holds good, that every citizen must hold the life of his fellow man in the same estimation as his own, and must "retreat to the wall" before he can be excused for having killed his fellow man, no matter how erring that fellow man may have been.

There is no conflict between this principle which gives the right to kill, and the other which requires the citizen to retreat and withdraw if possible when you consider them in connection with the nature of the attack.

In one instance a murderous attack is made with the appearance that a felony is about to be perpetrated; in the other only an assault and battery, or some insulting abuse.

Thus when resistance is prevented from the fact that an attack has been made, still if that resistance is made with a deadly weapon used in a very cruel manner not at all justifiable by the nature and danger of the attack, and death ensues, the offense will be murder; when self-defense is urged as an excuse, it is not necessary that the danger should have been real; if it appears that the accused had reasonable ground to believe that some great danger was immediate and pressing upon him, from which he could not with safety withdraw, that will be sufficient to authorize him to make the necessary defense, even though it should afterward appear that no real danger existed.

If the accused had reasonable ground to believe the danger existed and did not act recklessly without just cause, as it then appeared to him, it will not effect the responsibility of the parties, though it should appear from some circumstances not known at the time that no danger existed, or felony was intended, as, for instance, when an attack has been made with a deadly weapon, and it should appear afterward that the weapon was not loaded, or in such a condition that it could not be used. This would have no effect upon the case further than as it might help to explain the conduct of the deceased.

Insulting abuse, when it goes no further than words, will not authorize blows. Courts of justice are the proper remedial agents for injuries, past or impending. It is only when the danger is urgent and immediate that preventive defense may be resorted to, and even then the defense must be in proportion to the nature of the attack.

When the killing is done with a deadly weapon, deliberately used in such a manner that the natural and probable consequence would be death, the law presumes malice, and the provocation must be great, indeed, to reduce the offense from murder to manslaughter.

Much has been said as to your authority in this case. While you are the judges of the law and the evidence, you are most solemnly bound to conform your verdict to the law and the evidence as you understand it.

The importance of this case, the standing of the parties, and all the surrounding circumstances, require at your hands most careful consideration, and I feel assured that your verdict will be an honest expression of your convictions in the premises.

I have prepared this charge during the argument of the case. It is necessarily short; but I feel that I have stated to you the law fearlessly, faithfully and fairly.

No two cases are ever presented under exactly the same circumstances, and no fixed rule can be given you as to the distinction between murder and manslaughter, further than the general principle that in one the killing is done with malice and the other without malice. I have explained to you the legal meaning of the term malice; now it is for you to say, from all the circumstances of this case, whether there was malice express or implied on the part of the accused in this case. No amount of provocation; no amount of passion will reduce the offense from murder to manslaughter, when you are satisfied that the killing was actually done with deliberate malice. No rule can be given you as to the weight you should give to any particular part of the evidence.

You are the judge of the law and the evidence, and it is for you to give such weight to all or to any part of the evidence in the case as your discriminating intelligence may seem to propose.

You are to assume nothing against the accused without proof. He stands before this bar innocent of any crime except so far as the evidence shows him to be guilty; and if you, considering all the evidence and circumstances of the case, find your number so evenly balanced that you entertain reasonable doubts as to any point, it is your duty to give the accused the benefit of such doubts, and take that view most favorable to the prisoner. This refers to reasonable doubts based upon the evidence; and the rule applies also in deciding as to the grade of the offense, whether murder or manslaughter. If you have reasonable doubts, based upon the evidence, whether the offense is murder or manslaughter, your verdict should be for manslaughter.

I have endeavored to meet the great responsibility that rests upon me fairly, both as to society and to the accused. It is now for you to do your duty. It is not probable that in the course of your lives you will ever again be placed in such a responsible position. I hope you may discharge the trust in such a manner that you may never have occasion to regret your action. The verdicts authorised by law under the charge in this case are guilty as charged, guilty without capital punishment, guilty of manslaughter, and not guilty.

Upon retiring to your room, it will be your duty to consider all the evidence and circumstances of this case, and if you are able to come to the honest conclusion that Prestidge killed Hardeman under such circumstances that he believed, and had reasonable ground to believe, that it was necessary he should kill Hardeman to save his own life, or to protect himself from some great danger then immediate and pressing upon him, and from which he could not with safety withdraw, then your verdict should be not guilty.

If you find that the accused killed the deceased when it was not apparently necessary, but that he did it upon provocation, or while he was suffering under the sting of some great insult, while his reason was thereby dethroned, and it does not appear that he was actuated by malice, then your verdict should be guilty of manslaughter; or, if you find that the accused killed the deceased when it did not appear to be necessary to protect himself, but was done to resent an insult under such circumstances of wicked cruelty, without reasonable cause, as the law implies malice, then your verdict should be guilty as charged, either with or without capital punishment.

The case is in your hands.

State vs. Mrs. Emeline M. Adams, alias Widow William Hays.—Perjury. Ten years in Penitentiary.

State vs. Mrs. Davis.—Grand larceny. One year in Penitentiary.

First District Court.

State vs. Henry Mitchell.—Assault with intent to rape. The jury were unable to agree, but they stood eleven for acquittal and one for conviction.

State vs. Reinhard Kindle.—Information for entering a dwelling house.

State vs. Archie Peddis.—Assault and battery. Sentence of one day.

Ants in Harvard Library.

The library of Harvard College has been discovered to be exposed to a new and alarming danger, in the form of the white ant, an insect whose ravages have been serious in Europe, while in one of our Western States a fine library has been totally destroyed, and another collection in the South badly damaged. Their liking is chiefly for books, but they riddle wooden buildings easily until the structure finally falls. Professor Hagen thinks that the recent fall of a bridge over the Fitchburg railroad was owing to the boring of these insects, and considers the North avenue bridge peculiarly exposed to their attacks. They have appeared about the library and serious results are feared. The turf about the building has been taken up and replaced by gravel by way of protection.—*Boston Transcript*

SPECIAL NOTICES.

Office Louisiana Equitable Life Insurance Company.—An annual election for directors of this company was held on Monday, April 17 1876. The following gentlemen constitute the Board of Directors:

CHARLES CHAFFE,	A. THOMSON,
ALEX. MARKS,	H. M. PAYNE,
H. J. VOSE,	JOHN H. PIKE,
JOHN I. ADAMS,	ANDREW PATTON,
T. C. HERNDON,	W. B. SCHMIDT,
JAMES I DAY,	JOHN S. GROVES,
J. W. STONE,	E. B. BRIGGS,
JOHN HENDERSON,	E. A. TYLER,
S. B. NEWMAN,	B. T. WALSHE,
E. H. FAIRCHILD,	J. B. CAMORS,
R. W. OGDEN,	HENRY ABRAHAM.

At the annual meeting of the Board of Directors, held Tuesday, May 9, the following officers were elected for the ensuing year:

SAMUEL MANNING TODD, President.
R. W. OGDEN, Vice President.
ANDREW PATTON, Second Vice President.
WILLIAM HENDERSON, Secretary.

WILLIAM HENDERSON,
my21 1m eod Secretary.

Office of the Jefferson City Gaslight Company. New Orleans, May 20, 1876.—At a regular meeting of the directors, held on the ninth instant, it was resolved that a dividend of $3 50 per share be paid to the stockholders on and after June 1.
my21 10t CHS. HERNANDEZ, Secretary.

New Orleans Banking Association. New Orleans, May 15, 1876.—Creditors of this association are hereby notified that a dividend of fifteen per cent will be paid on demand upon presentation of the receiver's certificate.
my16 6t N. W. CASEY, Receiver.

Office of the Mississippi and Mexican Gulf Ship Canal Company, No. 26 Camp street, New Orleans May 15, 1876.—The annual meeting of the Mississippi and Mexican Gulf Ship Canal Company will be held at this office, No. 26 Camp street, on THURSDAY, June 1, at 10 A. M., for the election of nine directors to serve the ensuing year.
my16 t jel S. D. MOODY, Secretary.

New Orleans Canal and Banking Company, New Orleans, April 27, 1876.—Proposals will be received at the bank for the purchase or lease of its different properties at the Lake end of the New canal and terminus of the New Orleans City Railroad to the Lake.
ap27 1m CH. JUMONVILLE, Cashier.

Home Mutual Savings Bank in Liquidation.—The stockholders of the above institution are hereby notified that on and after June 5, 1876, a dividend of TEN PER CENT on the amounts paid in by them will be paid at No. 25 Decatur street. JAMES M. DOWLING.
New Orleans, May 5, 1876.
my5 1m Liquidating Commissioner.

A Card.—To all who are suffering from the errors and indiscretions of youth, nervous weakness, early decay, loss of manhood, etc., I will send a receipt that will cure you, FREE OF CHARGE. This great remedy was discovered by a missionary in South America. Send a self-addressed envelope to the REV. JOSEPH T. INMAN, Station D, Bible House, New York City. mh1 eod&w6m

Sealed Proposals for the Renting of Booths, Bars etc., for the Picnic to be given by Philadelphia Fire Company No. 14, on SUNDAYS, June 4 and 11 1876, will be received until May 25, 1876. Bids must state full terms and particulars. The right to reject all bids reserved to the company. Address, W. B. KLEINPETER,
my14 td No. 61 Camp street.

SUCCESSION NOTICES.

Succession of Mary Lloyd Grieff.

SECOND DISTRICT COURT FOR THE PARISH OF Orleans, No. 37,725.—Whereas, William C. Wilson, Jr. has petitioned the court for letters of administration on the estate of the late Mary Lloyd Grieff, deceased, intestate. Notice is hereby given to all whom it may concern to show cause within ten days why the prayer of the said petitioner should not be granted.
By order of the Court.
my12 17 21* FRANK PACE, JR., Clerk.

Succession of A. W. Walker.

SECOND DISTRICT COURT FOR THE PARISH of Orleans, No. 37,434.—Notice is hereby given to the creditors of this estate and to all other persons herein interested, to show cause within ten days from the present notification, if any they have or can, why the account presented by Mrs. Maria H. Walker, testamentary executrix of this estate, should not be homologated and approved, and the funds distributed in accordance therewith.
By order of the Court.
my21 26 31* FRANK PACE, JR., Clerk.

LOTTERIES.

DRAWING OF THE LOUISIANA STATE LOTTERY FOR MAY 20, 1876.
CLASS 120.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
67	29	13	45	42	27	68	75	64	18	49	31	57	—

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 day, May 20, 1876.

H. PERALTA,
ADAM GIFFEN,
Commissioners.

BEWARE OF BOGUS LOTTERIES. ap13

ATTORNEYS AT LAW.

G. H. BRAUGHN,
ATTORNEY AND COUNSELOR AT LAW,
No. 17 Commercial Place.
Practices in all the State and Federal Courts.
Will henceforth give his personal attention to all matters intrusted
au28 1y