New Orleans Republican.
OFFICIAL JOURNAL OF THE UNITED STATES
OFFICIAL JOURNAL OF NEW ORLEANS

AUCTION SALES THIS DAY.

BY PLACIDE J. SPEAR, at 10 o'clock, at No. 46 Royal street, jewelry, silverware, furniture, etc.

Local Intelligence.

WHAT IS THE MATTER?—Saturday evening a citizen was standing on Camp street, near Poydras, when he was suddenly approached by a man who appeared to be greatly excited, and asked where the Western Union telegraph was situated. He was informed, and then trotted off a short distance, but quickly returned to the citizen and said: "You need not be surprised if you hear an alarm of fire by ten o'clock; I anticipate trouble!" Our informant at once proceeded to the telegraph office and stated what he had heard, but the stranger had not then appeared. However, he soon after rushed into the telegraph office and asked for one of the operators, who was out. He said his name was Wallace, and that he had just arrived from Mississippi on an excursion train that brought down 500 Mississippians, and that if there was any trouble in New Orleans he would be on hand. Ten or twelve men were with Wallace. He was seen on the streets again last evening, but not as greatly excited as on the previous evening.

COTTON SCREWER KILLED.—George Anderson, foreman of a gang of cotton screwers, employed on board the steamship Jamaican, yesterday met with a terrible fate. One of the slings in going down accidentally caught him, and as he went over the combing of the main hatchway one of his feet was cut off as clean as a guillotine could have done it. Life was probably extinct before he reached the bottom of the hold. The vessel lies at the head of Josephine street. The body was sent to No. 32 Sorapuru street.

DEATH OF JAMES WALLACE.—Last Wednesday James Wallace, State armorer, disappeared and his friends were completely at a loss as to what had become of him. Search was made by the police, but without effect. Yesterday the body of a dead man was found in a draining canal alongside the Washington avenue shell road, at the point where the Jackson railroad crosses. That bridge is only trestle work, and but a narrow plank is on the span for foot passengers to walk on. It is supposed that in attempting to cross, in the dark, he slipped and doubtless struck his head on one of the beams, so stunning him that he drowned before his senses returned. It was at first supposed that violence had been used, but an examination by the coroner proved such not to be the case. Deceased had been State armorer during a space of five years, and was fully trusted by the authorities. During the war he was in the Federal army, and by good service raised himself from the ranks to the position of captain. His disposition was a kindly one, faithful in all things, and although earning but a small salary never failed to send a large portion of his wages to his family in Philadelphia. As he had no relatives in this city the duty of laying him in his last resting place devolved on his friends, and they regretfully left his remains in Cypress Grove Cemetery.

WHISKY AND DEATH.—Sunday evening, Adam Pontz, a German, forty four years old, was at the lake end of the New shell road, having gone there on the steam cars, taking passage at the Halfway House. After leaving the car he crossed the railroad track, holding a basket which contained groceries. He dropped something, and while in the act of stooping, the steam dummy was switched off to the rails where he stood. He did not see the locomotive, nor was he observed in time to save him. The dummy ran over and crushed him to death.

His wife was drowned in the lake, near the revetment, on the twenty-fifth of June, 1875. She, with another woman, was in a sailboat that capsized.

It is stated that Pontz was inebriated at the time of his death, which may account for the fact that he got out of the car on the wrong side.

A LEADEN ARBITRATOR.—Sunday evening Edward Burns and Alexander McVey tried to settle some personal trouble by abusing each other, using strong epithets. McVey could not be satisfied with words, so drew his revolving arbitrator and shot Burns twice, both bullets entering his left side. McVey escaped. The difficulty occurred on the levee, near Barracks street.

THIEVES ATTACK POLICEMEN.—Sunday evening citizens called on Sergeant Thibault and Corporal Parker to arrest a squad of seven persons who had attempted to rob a grocery at the corner of Dauphine and Jourdan streets. Both Metropolitans proceeded to the place and attempted to arrest the fellows, but the latter not only resisted but attacked the officers, shooting at them and using clubs. Corporal Parker was shot in his head and clubbed, but he managed to fire a few times and thinks that he wounded at least three of his assailants. The rascals eventually ran toward the swamp and escaped. Sergeant Thibault called on several citizens who witnessed the affair to assist him, but they refused. Joseph Adeline, Joseph Harrison, Albert Rey and Ben Farley were arrested yesterday. Two of them are wounded.

HE WAS WHIPPED.—John Larelle, colored, was pretty well used up Saturday night at the corner of Cadiz and Camp streets. His story is that two white men, strangers to him, knocked him down, whipped him and dislocated his left ankle. He cried loudly for assistance, which caused the assailants to break ranks and flee. He was sent to his home on Cadiz, near St. Charles street.

WEEKLY MORTUARY REPORT.—Dr. Y. R. LeMonnier, secretary of the Board of Health, reports the following number of deaths in the city of New Orleans, for the week ending Sunday, November 19, at 6 P. M.:

One of abscess of the lungs, 1 of anemia, 1 of apoplexy, 4 of Bright's disease, 1 of cancer of the stomach, 1 of cancer of the womb, 1 of cholera infantum, 4 of congestion of the brain, 20 of consumption, 2 croup, 7 of adult debility, 1 of infantile debility, 2 of diarrhea, 1 of chronic diarrhea, 3 of diphtheria, 4 of dropsy, 3 of dysentery, 1 of acute dysentery, 1 drowned, 1 of entero-colitis, 2 of endo-carditis, 2 continued fever, 1 of congestive fever, 3 of malarial fever, 2 of puerperal fever, 1 of scarlet fever, 2 of typhoid fever, 1 of typho-malarial fever, 2 of pernicious fever, 2 of gastro enteritis, 1 of hemorrhage, 3 of disease of the heart, 2 valvular disease of the heart, 1 of inflammation, 1 of infanticide, 1 of insanity, 1 of injuries, 1 accidentally killed, 1 of laryngitis, 2 of lockjaw, 1 of infantile marasmus, 1 of measles, 6 of meningitis, 2 of cerebro spinal meningitis, 2 from old age, 1 of paralysis, 2 of peritonitis, 1 of pericarditis, 3 of pleuro pneumonia, 6 of small-pox, 3 from teething, 5 of trismus nascentium, 1 ulceration of the stomach, 1 of gunshot wounds, 2 not stated; total 128. Of the above 35 were children under five years of age. In addition to the above 5 stillborn children were reported in the city. Number interred from public institutions, 10; on certificate of coroners, 5.

BRIEF MENTION.—Sunday night was the coldest of the season.

William Henderson yesterday accidentally fell from a ladder while washing a window at the corner of Camp and St. Joseph streets, and nearly broke his neck.

A horse, harnessed to a buggy, traveled out Canal street yesterday with more speed than was desirable, and when the slight wheels struck a solid dray the gentleman who was in the buggy shot out so suddenly that everybody who witnessed it thought he was killed. However, he gathered himself up, shook the dust from his bleeding head, and immediately afterward retired in good order. Policemen took care of the horse and the buggy.

An idiot set fire to the wooden covering of the little canal on Toulouse street, between Derbigny and Roman, and ruined that section. A Babcock machine fixed things.

A small building at the corner of Tchoupitoulas and Napoleon streets narrowly escaped destruction yesterday morning. A stovepipe that rested on woodwork caused the fire, but the damage was not great. The place is occupied by Fred Meyers.

T. B. Lacey and Wilson Smothers drank Westwego (left bank) whisky, and the consequence was that they quarreled. Lacey shot Smothers twice in his left side, both wounds being very serious. Lacey was arrested.

A chilly individual fired the small building at the Canal street ferry landing Sunday night, causing some damage. The harbor police station was in great danger, but a Babcock saved it.

A rumor gained little credence on the streets yesterday morning to the effect that Governor Stearnes, of Florida, had died suddenly. The rumor was afterward changed, making it an assassination, but the story did not take.

The body of an unknown white man was found Monday morning floating in the Old basin, at the intersection of Dupre street. The body appeared to be that of a laboring man, and had on a pair of jeans pantaloons, calico shirt, black and white checked coat, black vest and congress gaiters.

Frank Hubbard, a cook employed on the ship D. W. Chapman, lying at the head of St. Mary street, Fourth District, attempted, while under the influence of liquor, at three o'clock Sunday morning, to go on board of the ship. While passing on the stage plank he staggered and fell into the river, and was drowned before assistance could reach him. The body had not been recovered up to dark last evening.

[For the New Orleans Republican.]

LINCOLN'S PROPHETIC COUNSEL.

The Ballot of the Freedman Keeping the "Jewel of Liberty in the Family of Freedom"—Governor Hahn Lives to Witness, and Even Supervises the Result—The Nation Rewarded for Fidelity to its Allies.

EDITOR REPUBLICAN:

In contemplating the present perilous crisis, the remarkable fact stands out boldly that the freedman's ballot in the three States to give the final decision of the presidential contest saves the Republican party from a premature disaster. With all its prestige as the preserver of the national unity; its heroes and martyrs crowned by a halo of glory to be reverenced by future generations; its physical valor as the promoter of "government of the people, by the people and for the people," in its highest sense, on this continent, it has come within one electoral vote of a defeat, and victory is to be awarded the astonished "boys in blue" by the poor "contraband of war" whom they were slow to liberate and enfranchise.

When the telegraph announced the thrilling intelligence that Republican victory depended upon Louisiana, my thoughts almost instantly recurred to the letter of President Lincoln, addressed to Governor Michael Hahn, in the earliest period of reconstruction. It may be found in Raymond's "Life, Speeches and Public Services of Abraham Lincoln," as follows:

EXECUTIVE MANSION,
Washington, March 13, 1864.

Hon. Michael Hahn:

MY DEAR SIR—I congratulate you on having fixed your name in history as the first free State Governor of Louisiana. Now, you are about to have a convention, which, among other things, will probably define the elective franchise. I barely suggest, for your private consideration, whether some of the colored people may not be let in, as, for instance, the very intelligent, and especially those who have fought gallantly in our ranks. They would probably help, in some trying time to come, to keep the jewel of liberty in the family of freedom. But this is only a suggestion, not to the public, but to you alone.

Truly yours, A. LINCOLN.

Have we not reached the verification of the prophecy? Is not the ray of hope on the anxious faces of the friends of the Union caused by the freedman's ballot keeping the jewel of liberty out of the hands of Confederate Democracy, and in the family or party of freedom? Verily, it seems to be a providential interposition to awaken the nation from the too careless policy pursued of late years, by which the defenseless allies of the government have been subjected to unprovoked assaults from enemies that should be silent or vanquished. The policy of equal justice to the freedman in the matter of civil rights has borne ample fruit to establish its wisdom. The black allies have fought for the Union as nobly in the civil as they did in the military arena.

A singular coincidence is this: Governor Hahn, whom Lincoln so sagely counseled, was the able Supervisor of Registration in the late election, who personally directed the making up of the record, and aided in the fulfillment of its design. Lincoln was assassinated, and Governor Hahn narrowly escaped a similar fate in the July riot of 1866, at the prompting of a like spirit. The counselor may not witness, but the humble servant does witness the trying time come, and the retention of the "jewel of liberty in the family of freedom"—the election of General Hayes by the freedman's ballot.

EMERSON BENTLEY.

Morgan City, La., November 17, 1876

Do it yourself. Get rich.
Do it yourself. Get rich.
Do it yourself. Get rich.
Do it yourself. Get rich.
Buy a ticket in the
Buy a ticket in the
Buy a ticket in the
Grand Extra Drawing December 4.
Grand Extra Drawing December 4.
Grand Extra Drawing December 4.

POLITICAL NOTES.

By referring to the testimony of Messrs. Mitchell, Forman and Southmayd, given before the Louisiana investigating committee, it will be seen that each one of these gentlemen took the broadest ground under the election law of 1872, and as members of the Fusion board of returns did not hesitate to throw out any votes claimed by them to have been fraudulently cast. St. James, St. Tammany, Iberville, Terrebonne, and polls in Orleans and Jefferson, were rigidly excluded by these gentlemen upon the ground of fraud and intimidation. Should the Returning Board of this year, upon the same kind of evidence Messrs. Mitchell, Southmayd and Forman considered sufficient in 1872 to exclude votes, refuse to count fraudulent ballots, we are certain these gentlemen, as honest men and good citizens, will stand by and sustain them.

The New Orleans correspondent of the Cincinnati *Enquirer* relates, in its issue of the eighteenth instant, that Marshal Pitkin had admitted that Louisiana had gone for Tilden, etc. Upon inquiry being made of the marshal last evening, he stigmatized the expressions ascribed to him as false as was Watterson's recent charge that Secretary Chandler had written to Governor Kellogg that "Louisiana must be carried for Hayes at all hazards." The reader will remember how the frank Secretary nailed Watterson's ear-laps to the wall. The marshal said a correspondent of the Cincinnati *Enquirer* had called, accepted for some time the courtesies of the office, and departed, it would now seem, burdened less with his obligations as a gentleman than with those of a Democratic gossip.

The crisis through which the country is passing will do much to allay the silly but popular outcry against "infamous" returning boards. Denunciation has led to investigation, and investigation has developed their necessity in the disturbed sections of the South, and their utility as a guard to the purity of the ballot in all places. We shall not be surprised if the returning board, in some form or other, becomes an approved institution in every State of the Union. New York State, especially, would be benefited if some revisory power existed to purge its returns of the vast and decisive frauds which the Democracy roll up from the slums of New York city. Louisiana may yet receive the thanks of the nation for having instituted for its protection returning boards.

The *Times*, taking it for granted that the farce (or tragedy) of an election in Mississippi will pass unchallenged, says:

It is pleasant to know that the Mississippi delegation in the next Congress will number such men as Lamar, Hooker and Chalmers.

We might answer this by another extract from the same able journal:

There is an air of prematureness, a sort of previousness like, which suggests a painful fear that the good deacon's last thirteen cocktails were a leetle too strong.

Our predictions that very large numbers of white citizens would vote for Mr. Packard are true, or else the Democrats are doing some tremendous falsifying regarding the colored votes given to General Nicholls. All the testimony we have seen tends to show that the Republican candidates won several thousand white recruits, while nearly all of the colored strength lost to the party was by means of violence or intimidation of some sort.

Now "True American" and "Justice" and "Patriot" and all the rest of them are slopping over their mammoth intellects into the newspapers. Hon. Stanley Matthews is the especial victim of their melancholy but ponderous attacks, and if he never knew law—especially constitutional law—before, he must prepare to learn it now willy-nilly. What a lucky thing it is, by the way, that these Northern gentlemen came so opportunely and gave these massive brains a chance. None of our old citizens would have stood any more of it, and without an escapement confirmed idiocy must surely have ensued.

The evidence of fraud and intimidation perpetrated by the Democracy in the hope of seizing the government of Louisiana is being rapidly put into shape by the Republicans for use before the Returning Board. It is most convincing and conclusive in its character, and will not only justify to the nation the reversal of the manufactured majorities of the Democratic committee, but create a demand for the punishment of these crimes against American citizenship which must not again be permitted to go unheeded by. Murders most foul, the torture of innocent persons for the mere offense of Republicanism, that would shame the religious persecutions of the inquisition, robbery and incendiarism, will all be proven Democratic agents for the achievement of a desperate and revolutionary victory. So far the press has teemed with allegations against the Republicans. In a few days will be given proofs that must make honorable men blush that they are Democrats.

At Homer, in Claiborne parish, there was Federal protection of the ballot box. At not a single poll in the parish but that at Homer was a Republican vote cast. Is comment necessary?

Scores of first class plantation hands are wandering about the streets of Bayou Sara, having been discharged by their Democratic employers for refusing to vote the Democratic ticket. By this illegal system of coercion it was expected to gain the parish of West Feliciana, but they will fail in that, and it is hoped will be unable to replace their faithful laborers.

The Iberville *South* (Democratic) says of the votes alleged to be cast in West Baton Rouge and Iberville parishes with but three Hayes electors printed thereon, that this omission will probably defeat the Republican candidate, and approvingly adds:

Should this be the case, the Hon. T. T. Allain would deserve the credit of having contributed a great deal toward electing the Democratic President.

Credit, forsooth!

The Baton Rouge bulldozers are making fierce threats to deter Republican witnesses from testifying to the enormities practiced to force a nominal majority for Tilden and reform in that parish. We are greatly mistaken and shall be sorely grieved if many of them are not soon put where they will experience unsurmountable difficulties in perpetrating additional crimes.

The Vicksburg *Herald* declares that the people of Louisiana ought to refuse submission "to any decree of the Returning Board unfavorable to Democracy." This is very safe advice for the Vicksburg man, even if he knew anything about the intentions of the board; but the people of Louisiana look at the matter very differently, as they would have to bear all the direful consequences. They have been sorely burned before in trying to pull chestnuts from the fire for the delectation of the Northern Democracy, and have resolved to let these bomb-proof patriots perform this disagreeable part of the job for themselves this time.

The Returning Board.

Though their names and fame are familiar as household words to the people of Louisiana, it is evident there are many strangers with us who would be glad for information concerning the personnel of the Returning Board.

Hon. James Madison Wells, president of the board, is a native of the parish on Red river where he still resides. In the year 1812, when the convention met in this city to frame the constitution under which Louisiana was admitted into the Union as a State, the parish of Rapides was represented by Hon. Levi Wells, his father.

The old gentleman lived there many years, and died full of honors. The son received a liberal education, took active care of his father's planting and other interests, and was early in life identified with the politics of his section. When the war came on he suffered severely by loss of property, but never for a moment wavered in his allegiance to the Union. In 1864, under the Banks scheme of reconstruction, he was chosen Lieutenant Governor on the ticket with Governor Michael Hahn. A year later, upon the election of Hahn to the United States Senate, Wells became Governor of the State. After the war had closed and President Johnson announced his new theory of reconstruction, Governor Wells gave him his cordial support, and later was elected Governor of the State by an almost unanimous vote. His management of the affairs of State was wise, conciliatory and conservative, in marked contrast with the spirit of most of those with whom he was associated. During his term occurred the memorable massacre of the thirtieth of July, 1866, which he did all in his power to avert, and never failed to denounce in unmeasured terms. Then followed the congressional scheme of reconstruction, and in pursuance thereof, those gentlemen failing to harmonize in their views, Wells was removed from the executive office by General Sheridan, then in command of the department. Governor Wells retired to his home in Rapides, and devoted his energies to repairing his shattered fortunes. Measurably out of public life until 1872, the Liberal movement, which culminated in the nomination of Greeley at Cincinnati, attracted his sympathies, and he became one of its most ardent supporters. That movement in Louisiana became a most miserable fiasco. It was swallowed up in the hungry maw of Bourbonism, and Governor Wells abandoned it before its final wrecking in the last ditch of Democracy. This is all there is to say of him, until he came prominently before the public as a member of the Returning Board in 1874. His firmness of character, foresight and clear sense of the equities, then exhibited, notwithstanding the Wheeler compromise, have since been confirmed by the political events of the State. It is fortunate for all who want even and exact justice and fair play for all that the eminent services of this gentleman are at the command of the people at this important juncture.

General Thomas C. Anderson, next to the senior member of the board, is a native of Virginia, but has resided in this State for some forty years. He settled while a young man in the parish of St. Landry, near the town of Opelousas, and no man has been more influential than he in the material and social progress of his section. He, like Governor Wells, is a planter and lawyer. He represented his parish in the Legislature year after year before the war and has held his seat as a Senator uninterruptedly since. He was elected in 1868 as a Democrat, and again in 1872, running against F. A. Riard, Republican, and James M. Moore, also a Democrat. His intense love of justice and his high sense of honor forbade his running in the party harness, and in the last few years he has acted with the Republicans. In the last election he was supported by the Republicans and the Independents of his district for re-election, and carried his own parish—a Democratic stronghold—by a handsome majority. Democratic votes in other parishes where he was not so well known prevented his election by a small vote. That he was not reelected was less a misfortune to him than to his people, by whom he is universally beloved and esteemed, irrespective of faith or faction.

Gadane Casanave, the third member of the board, is a worthy type of the large and respectable class known before the war as free persons of color. Liberally educated in the French schools, and of superior business habits, he had acquired a large fortune before the war. He has never sought office in all the years of Republican supremacy in Louisiana, but now and then the office has sought him out, and he has been repeatedly called to the performance of delicate and responsible duties, where a clear head, mature judgment and unquestionable integrity have been required. Casanave's name is the counterpart of honor, and his word is his bond.

The junior member, Louis M. Kenner, is a young man of colored blood and of good connections. He bears, amended with a bar sinister, one of the oldest and noblest escutcheons in the South. He represents the freedmen element of the population on the board, and represents it well. He is a man of quick perception and superior business habits, which he well demonstrated while in charge of the street commissioner's bureau of the Department of Improvements, under Colonel Lewis, a few years ago.

These, in brief, are the men who comprise the Returning Board—men against whom no charge of malfeasance or corruption has ever been truly made, and it is doubtful if the Democracy at its best could find and associate together a body of men who could represent diverse interests so faithfully and ably.

Southwest Pass.

SOUTHWEST PASS, November 18, 1876.

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

Depth of channel at mean low tide, sixteen feet six inches. Least width for that depth, 100 feet. High tide at 10 P. M. Height above mean low tide, two feet six inches. Depth of channel at high tide, nineteen feet. Bottom soft.

R. H. HOOPER,
Master of the Essayons.

The man with the last straw is looking for the camel's back.

COURT RECORD.

MONDAY, NOVEMBER 21, 1876.

United States Supreme Court.

The following is of November 20:

Morgan vs. State of Louisiana.—Error to the Supreme Court of Louisiana. In this case it was claimed that certain property of the New Orleans, Opelousas and Great Western Railroad Company, which had come into the hands of plaintiff in error by purchase, was exempt from taxation, as his property, because it was exempt by law while the property of the company. The court held that only a franchise of a railroad company, which is defined as a right for privilege essential to the operations of the corporation, such as the franchise to run cars, to take tolls, to appropriate earth and gravel for the bed of its road, or water for its engines and like, may be conveyed to the purchaser of the road, as a part of the property of the company; that immunity from taxation is not one of these positive rights or privileges essential to the working of the road, but is personal in its character and incapable of transfer without express statutory direction. Affirmed.

The Selma and Meridian Railroad Company against the Louisiana National Bank of New Orleans.—Chief Justice Waite announced the decision of the court, denying the motion to rescind the order docketing and dismissing this cause and for leave to docket the same.

United States Circuit Court.

Present—Hon. E. C. Billings, district judge.

W. W. Johnson vs. Scherk & Berksen et al.—Bill in chancery. Plaintiff, distiller in Ohio, successor to Wells, Johnson & Co., alleges that he purchased the rights of S. N. Pike and the trade mark of Magnolia whisky; that it is registered by law; that defendants are infringing on it, and prays for an injunction and an assessment of damages.

ORDERED.

That a venire of 150 jurors be drawn, returnable on Monday, November 27.

Supreme Court.

Present—All the judges.

State ex rel. Mathieu Roques vs. William Fagan, criminal sheriff—Private markets. Habeas corpus on commitment on rule of contempt from Superior District court. Taken under advisement.

The following decisions were rendered:

BY CHIEF JUSTICE LUDELING.

No. 4838. Caleb Barker, appellant, vs. R. M. Grider, et al.—From Sixth District Court. Judgment affirmed.

No. 6274. City of New Orleans, appellant, vs George L. Bright.—From Superior District Court. Rehearing. Former decree undisturbed.

No. 5490 Job Smith vs. William Durbridge, appellant.—From Fifth District Court. Case ordered reinstated on the docket.

No. 2995. Ernest Merle vs. Southern Paving Company, appellants.—From Sixth District Court. Judgment affirmed.

No. 6034. James Wood, appellant, vs. Eugene Waggaman, civil sheriff.—Injunction on sale of property seized for taxes. Judgment affirmed.

BY JUSTICE HOWELL.

No. 4870. Carloss Zapata vs. William R. Hodges, appellant.—From Second Judical District. Judgment affirmed.

No. 5921. Isidore Newman & Brother, appellants, vs. M. Kaufman & Co. et als.—From Sixth District Court. A member of defendant firm borrowed money on its check for an indefinite time. Defendant Weill was surety, on plaintiffs' demand. The check was presented and accepted. There was no prolongation of the terms granted to the principal debtor without the assent of the surety. The surety has not been released from liability. Judgment affirmed, Justices Morgan and Leonard dissenting.

No. 6366. State ex rel. J. Paul Leblanc vs. Judge of the Second District Court.—Prohibition made perpetual.

No. 6365 Abel Mangin vs. Mrs. Nicholas Favre, appellant.—From Fifth District Court. Prohibition perpetuated.

No. 4870 Mrs. Bertha Louis et al., appellant, vs. William J. F. Pipin.—From Sixth District Court. Case remanded.

BY JUSTICE WYLY.

No. 6353. State of Louisiana ex rel. A. E. Carlon vs. Judge of Superior District Court.—Mandamus. The amount of the bond was excessive. Appeal to be granted on bond of $500.

No. 6367. State of Louisiana ex rel. Anais de Bouche vs. judge of the Second District Court.—We can not command the judge to invade the appellate jurisdiction of this court, as he would be compelled to do in attempting to enforce a judgment pending here on a suspensive appeal. Application for mandamus refused.

No. 6373. State ex rel. James B. Alexander vs. judge of Superior District Court.—The court erred in refusing the appeal. Mandamus made peremptory.

No. 4782 Edward F. Stockmeyer vs. Hibernia Bank, appellant.—From Sixth District Court. On promissory note. Judgment reversed.

No. 4855. A. Claudel vs. Catherine Palao, appellant—From Sixth District Court. Judgment amended and affirmed.

No. 6324. State ex rel. New York Guaranty and Indemnity Company vs. Board of Liquidation.—On demand to fund bonds under act No. 116 of 1869 (Mississippi and Mexican Gulf Canal Company). The bonds were issued prior to the constitutional amendment limiting the State debt to $25,000,000. It can not be doubted that the State can construct a highway (railroad) and can accomplish it through a private corporation. State aid was guaranteed under legitimate power; 16 Wal., 678; 11 A., 371; 8 A., 341; 23 A., 624. The formalities of the statute were complied with. Want of consideration can not be alleged against those who acquired the bonds in open market. The State engineer certified the work had been done, and the bonds were issued. He had the authority on the evidence; 15 Wal., 356; 1 Wal., 83; 1 Wal., 384; 21 How., 539; 1 Bl., 386; 21 Wal., 354; 21 Wal., 139. The ways and means (cons., art. 111) were provided for. Mandamus to fund the bonds made peremptory.

No. 6067. John Sexton, appellant, vs. John McMahon.—From Second District Court. Rehearing. Judgment undisturbed.

No. 6082. Benjamin S Harrison vs. Carondelet and Carrollton Railroad Company, appellant.—From Fifth District Court. Amos S. Collins, garnishee, residing in Carrollton, he is not within the jurisdiction of the court by act No. 71 of 1874. The process should have issued from the Second Judicial District Court. Judgment annulled.

No. 4914. State ex rel. F. C. Mahan vs. Accommodation Bank, appellant.—From Superior District Court. The court erred in granting the supplemental order for experts to examine the books of defendant, as it could not reopen the case. Judgment annulled.

No. 6122 Benjamin S. Harrison vs. same. Henry Heuchert, garnishee and appellant. From the Fifth District Court. Judgment affirmed.

BY JUSTICE MORGAN.

No. 6356. State ex. rel. Charles Marin vs. judge of the Fifth District Court.—Mandamus made absolute.

No. 6388 State ex. rel. John J. Dardenne vs. judge of the Fifth Judicial District Court.—Mandamus to grant a suspensive appeal. Rule made absolute.

No. 6354 State ex rel. F. Huppenbauer vs. judge of Sixth District Court.—The bond tendered was not a good one. Rule discharged.

No. 6355 State ex rel. Israelite Charitable Association vs. judge of the Fifth District Court.—The surety is solvent. Rule for appeal made absolute.

No. 6360. State ex rel. Amelie Richards vs. judge of Parish Court of St. Charles.—Mandamus. Rule for a suspensory appeal made peremptory.

No. 4858. Jean Ferran, appellant vs. city of New Orleans.—From Superior District Court. Jungment affirmed.

No. 4882 Leeds & Co. vs. United States and European Propelling Company.—From Fourth District Court. Judgment affirmed, with ten per cent damages for frivolous appeal.

No. 5511. Mrs. Charles Watriguat vs. Pierre Dufert et al., appellants.—From Fifth District Court. Judgment amended, by reducing it to $500, and affirmed.

No. 4923. Mrs. Sallie J. Pinkston vs. R. J. Morse et al.—From Sixth District Court, on the will of F. S. Slatter. The testator desired to give to each of the parties named $5000, and on the death of any the amount to go to the universal legatee. He was to receive them if the legatees did not marry. Judgment for defendants.

BY JUSTICE LEONARD.

No. 4837. Cherie Verneuil, appellant, vs. W. P. Harper, sheriff.—From Sixth District Court. Judgment affirmed.

No. 4860. Mrs. Julia Brown, appellant, vs. James J. Genard et al.—From Sixth District Court. Judgment reversed. Plaintiff to recover $1183 97.

No 4901. New Orleans Canal and Banking Company vs. John R Pike, appellant.—From Second District Court. Judgment reversed and case remanded.

No. 6290. Felix Gottschalk vs. Henry Meyer, appellant.—From Sixth District Court. Judgment affirmed.

Superior District Court.

Citizens' Bank vs. Rufus Waples.—Suit on sixty-six shares of stock for $616.

George C. Norcross vs. J. B. Oliver.—Plaintiff purchased, April 10, 1876, property in the Fourth District, received the Auditor's title October 31, and asks possession. Cause to be show November 24, 1876.

Superior Criminal Court.

MOTIONS.

Grand larceny—Joe Albo, alias Alebean, convicted. Motion for a new trial argued and taken under advisement.

Robbery—Mollie Robinson, Maria Davis, convicted. Motion for new trial argued and taken under advisement.

NOLLE PROSEQUI.

Grand larceny—Pat Martin, charged with stealing on January 30, eighteen hogs at $8 from Catherine Walker. Accused had driven the hogs off to collect his rent from plaintiff in that peculiar manner.

ACQUITTED.

Embezzlement—Philip Jones, charged with embezzling $20 on the twenty-fourth of May from Charles Jacques.

CONVICTED.

Burglary—Alfred Jennings, burglarizing on the morning of August 10, at the residence of Maria Tape, on Poydras, near Rampart street. Recommended to the mercy of the court.

First District Court.

PLEADED GUILTY.

George Gallagher, assault and battery, of assault.

VERDICTS.

James Keenan, petty larceny, guilty; Melinda Wills, assault and battery, not guilty.

SENTENCED.

Petty larceny—J. J. Brown, two months; Melite Johnson, two days; Mary Hester, two years.

Fourth District Court.

Mrs. Widow Eleonore Lapece de Burgundy vs. Louis Gagnat.—Judgment for $3300.

The Compensations of Defeat.

It must be a serious disappointment to Governor Tilden to be led up to "within one of it;" to suppose for one whole day that he had reached the summit of his ambition; to know that he has received a majority of the popular vote and receive congratulations as the President elect, and then have the whole fair fabric of his hopes tumble to pieces before him. We are aware that he has been sanguine of success from the moment of his nomination; indeed that from the time his name began to be prominently mentioned in connection with the nomination, he has been serenely confident of securing both the nomination and election. When others of his party weakened, his faith was unshaken; he was more than hopeful from the beginning, maintaining under all circumstances that his election was a certainty. Nor has his confidence wavered since the returns began to come from South Carolina, Florida and Louisiana, showing that he had lost those three States, and with them the presidency. He still holds that he has been elected, and being a person of obstinate temper, it is very likely he will continue of that mind until the last hope goes out with the promulgation of the official count in the three disputed States. To come so near an election after the laborious campaign which he has personally superintended, and all the excitement and anxiety through which he must have passed, must be an aggravation as well as a disappointment. It is the old story of Tantalus. He reached out for the prize of his ambition; for twenty-four hours supposed he had it in his grasp, and then it melted away in his hand. He may console himself with the reflection that he is not the first or only American statesman who has suffered just such disappointment, though he is the first to come so near the Presidency and lose it. Others before him have counted as confidently as he on filling the Presidential office and have died without the sight, and other candidates have received a majority of the popular vote and still been unsuccessful.

He may find still further consolation in reflecting upon the difficulties and embarrassments he has escaped. When he considers the great multitude of reformers who have been howling from the stump and writing blazing articles in newspapers, and carrying torches and staggering under banners and transparencies and other stimulants in his behalf; when he thinks of the long fast they have kept and the great hunger there is on them, and then of the comparatively small number of offices he would have at his disposal to meet the demands of their insatiate appetites, he can not but be consoled. For Governor Tilden has been long enough in politics to know that the advent of a new party to power means more than anything else a sweeping change in all the government offices. In front of every place at his disposal he would have found his earnest reformers, from twenty-five to fifty deep, all eager to serve the country and unwilling to be denied the privilege. The Governor would have found it impossible to gratify all of them; impossible, we suspect, to gratify more than a very insignificant minority without making trouble for himself and for the country, and repudiating his own professions with regard to reform in the civil service. He may, if he will, find great comfort in this view of the case. He is spared the responsibility of choosing between answering the expectations of his party and making a general distribution of the offices, or offending the party and, perhaps, breaking it to pieces by fulfilling his promises and carrying into practical operation the ideas he has advanced concerning political reform. Whichever horn of the dilemma he might choose he would have been in trouble. Without doubt he would desire to make a good administration, and to put only able and honest men in office, but it is equally certain that this is not by any means what would be expected of him by the men who voted for him. The embarrassment of choosing between party and principle, and the innumerable annoyances and discomforts of being compelled to receive and listen to the claims of several hundred thousand bearers of torches and transparencies, Governor Tilden escapes by his defeat. The disappointment is great, of course; but as we have pointed out, it has its compensations. We commend to the Governor the philosophic contemplation of the trouble he has so narrowly escaped. There is solid comfort in that aspect of defeat.—*New York Tribune.*

Shorthand Reporter of the Returning Board.

Albert Longley, the *Enquirer's* well known court reporter, left last night for New Orleans, where he has gone at the call of the Louisiana Returning Board. They telegraphed for him yesterday to come on immediately, as they had unanimously agreed on him, as the most reliable phonographer in the United States, to take a verbatim report of the testimony produced before them. This is a well deserved compliment to Mr. Longley. His integrity is unquestionable.—*Cincinnati Enquirer.*

"Democrats demand a fair count," say the Tilden newspapers. We presume, in the absence of any explanation, that they mean such a count as gave Louisiana to Polk in 1844; or such a count as Buchanan gave Kansas when she was struggling to become a free State; or such a count as gave the Democratic Governor Hoffman, who afterward fled to Europe, a vote of 14,000 in two wards when there was a total of 12,000 legal voters of both parties; or such a count as gave New York to Seymour. How Democracy yearns for fairness.—*Louisville Commercial.*

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SPECIAL NOTICES.

New Orleans, November 19, 1876.—The annual meeting of the stockholders of Franklin Temperance Hall Association will be held in their hall, corner of Rampart and Spain streets, on MONDAY EVENING, December 4, 1876, for the purpose of electing five directors to serve for the ensuing year.
By order of the president.
no19 de2 3 A. E. MOULIN, Secretary.

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SHERIFF'S SALES.

Arthur Shiff vs. D. Henquinet and C. Bero.

SIXTH DISTRICT COURT FOR THE PARISH of Orleans, No. 9073.—By virtue of a writ of seizure and sale to me directed by the honorable the Sixth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and