New Orleans Republican.

Official Journal of the United States.

LOCAL INTELLIGENCE.

A Nuisance.

The citizens of the First district living out on Common street and its vicinity, are complaining loudly of a serious nuisance, caused by the nightly custom of the managers of the St. Charles and City hotels, in emptying the contents of their privies into the gutters, and washing the filth down Common street. This habit has been customary for years, and all attempts to have the evil corrected have been defeated. As a general thing, the street commissioner has a gang of men at work early every morning, cleaning out the gutters, and forcing these hotel excrescences through by the back part of the town, but sometimes the men so employed have other duties to perform, or are late or negligent, and at such times the effluvia arising from the gutters is intolerable. There have been frequent instances of their neglect of late, and any early-rising pedestrian on Common street, from Basin to Baronne street, where the ground is lose, on the time in question, will bear evidence to the terrible stench of the gutters. Anticipating, as we well may, more or less sickness this summer, the authorities should be brought to understand the nature of this nuisance, and should be required to correct it before it is too late.

Coroner's Statistics.

From Coroner Delery's official report it appears that from the 16th to the 31st of May, in this city, four persons were accidentally drowned, one was killed by a crate, one by the blowing down of a building, one by the accidental discharge of a revolver, one committed suicide, and six white persons and eleven colored died from various diseases without having medical attendance.

German Protestant Asylum.

The new German Protestant orphan asylum, located at Bloomingdale, a short distance above Jefferson city, was inaugurated Sunday evening with appropriate ceremonies, Reverend Mr. Heintzer officiating. The inaugural poem, written by Mr. Gustave Kruebbe, was spoken by Mr. Strameyer, secretary of the association. Success to the German Protestant orphan asylum.

Suicide by Morphine.

A woman named Hannah King committed suicide, Sunday, at No. 78½ Perdido street, by taking morphine. She was about twenty-two years old, and had been living a dissipated life. She is said to have come from Marietta, Ohio. The coroner will hold the inquest to-day.

Deaths during the Week—Increased Numbers.

The total number of deaths in New Orleans during the week ending Sunday morning, as reported by Dr. Dirmeyer, secretary of the board of health, was 111; of which number 1 died from burns or scalds, 12 of consumption, 2 of small pox, 2 of delirium tremens, 5 were drowned, 1 died of old age, 6 were stillborn, and the balance died of various ordinary diseases; 36 were under one year, 12 between 1 and 10, 5 between 10 and 20, 12 between 20 and 30, 15 between 30 and 40, 9 between 40 and 50, 8 between 50 and 60, 4 between 60 and 70, 2 between 70 and 80, and 8 whose ages were not stated; 49 were natives of the United States, 10 of Ireland, 4 of France, 4 of Germany, 2 of England, 2 of Spain, 1 of Prussia, and 39 whose nativities were not reported.

Loungers on the Levee.

Captain Blonk, of the river police, in view of the numerous complaints made concerning the number of idle persons who lounge about and obstruct the foot of Canal street, has issued stringent orders, by which this annoyance will be stopped.

On the Levee.

Yesterday morning a disturbance took place on the levee among the hands employed on the steamboat Silver Spray. The chief of police was promptly notified, and by the aid of the police force, together with a detachment of the First United States infantry, order was restored. A negro named Eugene Vineyard was arrested and locked up as accessory to the disturbance.

Ex-United States Marshal in Court.

The suit before the Fifth district court, instituted by Mrs. A. C. Rains and her daughter, Louisa Rains, against J. H. McKee, late U. S. Marshal, for damages, was submitted to a jury. Mrs. R. claimed $50,000 for unlawful possession of her furniture and occupying her house, and Miss R. claimed $1500 for an illegal seizure of her person. The jury found a verdict in favor of plaintiffs, allowing Mrs. R. $7500 and Miss R. $1000.

Cut with a Razor.

Officer John Hogan has made an affidavit that on the night of the 1st instant he was assaulted and cut with a razor, in the hands of Taylor Bright, who is a colored soldier and drum-major of the 34th infantry. The affair occured in St. Thomas street. The recorder has directed that the military authorities be notified of the affair, and has fixed the case for the 11th instant, under bonds of $500.

Funeral Honors to a Police Officer.

The funeral of Officer M. Welsh, late of the First district police force, took place from his residence, 257 St. Joseph street, yesterday morning, and was numerously attended by his late comrades. The police force made a handsome display. A finer looking set of men, physically, rarely get together in the community, while the soldierly bearing of the "new appointees" attracted general remark.

Attack Upon a Soldier.

Corporal Jones, of company I, United States infantry was brought to the Third district station, about 2 o'clock Monday morning, having been found at the corner of Independence and Love streets. He says that a gang of six men attempted to kill him without any cause, and that the assault occurred near McCarthy's plantation. He was sent to the barracks.

Report of Arrests in May.

The following is an abstract of the report of arrests in this city during the past month, viz:

	Males.	Females.	Total.
First district	635	137	772
Second district	365	126	491
Third district	140	36	176
Fourth district	93	27	126
	1,239	326	1,565

Robbing a Printer.

As Mr. J. N. Moliere, a printer, was returning home Sunday morning about one o'clock, he was attacked by three unknown white men on Main street, near Burgundy, and robbed of his pocket book, containing $30, a photograph, a gold watch, and knife.

Drowned.

George Connelly, a boy about nine years old, was accidentally drowned Sunday afternoon about three o'clock, in a pond at the foot of Market street, while bathing. The body was recovered and taken to the residence of the parents, at the corner of Market and New Levee streets.

Stabbing Affair.

Between 10 and 11 o'clock Sunday, a man named John Pettigrew was stabbed and dangerously wounded in the left side by one Manuel Robie. The latter was arrested, and Mr. Pettigrew taken to his residence No. 469 Victory street. The affair took place in the vegetable market, in the Second district. Both, we understand, are fishermen, and Pettigrew is said to have thrown a hatchet at Robie, when the latter drew a Sicilian knife and stabbed him. The blade of the knife is slightly curved, sharp as a needle, and about a foot in length. Pettigrew was stabbed in the left side, just above the hip, the blade apparently entering nearly three inches. He is not expected to recover. Robie was arraigned yesterday morning before Recorder Gastinel, and, without examination, was committed to await the result of Pettigrew's injuries. In the meantime he will not be permitted to give bail.

Coroner's Inquest.

The coroner yesterday morning held an inquest over the body of an unknown white man, found in the river at the head of Elmira street. The corpse appeared to be that of a man about fifty-five years of age, and had evidently been many days in the water. He had no money and no papers by which he could be identified. He was dressed in a maroon colored sack and gray pants.

Still Another "Negro Riot."

Last evening about seven o'clock as a colored man was passing up Saint Joseph street, he was assaulted by a party of boys between Levee and Tchoupitoulas streets. He seized one and while shaking him a violent assault with clubs and bricks was made upon him by boys and men. He got away from the crowd and went toward Saint Marys market but was followed by a white man who struck him with such force from behind as to fell him to the gutter. Immediately a rush was made by the crowd, armed with sticks and stones crying "kill him," "kill him," but he succeeded in getting up and making his escape through the market. A party of the First infantry stood on the corner but remained inactive, with the exception of one, who made a frantic effort to quell the disturbance by picking up a brick and hurling it at the negro.

Twenty Dollars Stolen.

Betsey Mallet, a colored woman, has brought a charge against one Robert Clifford, also colored, stating that a letter containing $20, from her husband, Jacob Mallet, living in Pensacola, was addressed to her in the care of the said Robert Clifford; moreover, that said letter was delivered to Robert Clifford, and he has failed to account for it or for its contents. The accused has been put under bonds of $500 to appear on the 10th inst.

Le Breton Market.

The farming of the revenue of the Le Breton market was adjudicated on Saturday by the city controller to Mr. B. Claverie, W. R. Bell security, at $1400.

Coal Oil Accident.

A colored woman named Clementine Gallope, living at No. 220 Conti street, was badly burned by the explosion of a coal oil lamp early last evening. She is not expected to live.

Baptism at Bayou St. John.

On Sunday last, at quite at an early hour in the morning, large numbers of vehicles of almost every description were wending their way toward Bayou St. John. These carriages conveyed some two thousand people, nearly all colored, to witness or participate in the baptismal services to be performed under the direction of Reverend John Turner, of the African Methodist Episcopal church, who officiates at St. James chapel, on Roman street.

Fifty-six candidates for admission to that church were baptized. The ceremony was most solemn and interesting. Mr. Turner was assisted by Deacon Forrest, Deacon Lloyd, of Jefferson (who is pastor of a church there) and Deacon Norango.

It was not until evening that this religious assemblage dispersed and returned to their homes gratified with and profited by the services of the day.

Police Changes.

The following police changes have been made since our last report:

Appointments—J. A. Martin, P. McCabe, James H. Brown, Charles Erhard, James McGowan, Tim Ryan, Michael Mulhomer, John Keegan, Michael Cronan, John Bennett, James White, Michael Powers, J. T. Beauregard, Frank Ward, F. G. Jones, John Pephin, George W. Payne.

Removals—John Connors, J. D. Melville, A. D. Terrade, F. Delarme, E. Roubouin, J. Slatterly, J. R. Fagot, C. Johnson, T. Ford, A. Mackey, N. Decon, L. J. Bourgeois, M. Smith, L. Lambert, J. Summers, G. Rosa, A. C. Powell.

Fourth Ward Republicans.

The meeting to-night of the Fourth ward Republican club will be held at the hall on the lower side of St. Louis street, between Treme and Marais streets.

A Dry Goods Swindle.

Sophia Malarme was arrested by Officer Barry at quarter past seven o'clock last evening at the Jackson railroad depot, charged by William Dauphin with swindling and obtaining goods under false pretenses. The dry goods lady was locked up at the First district station.

AMUSEMENTS.

THE ACADEMY OF MUSIC.—The managers are entitled to great credit for their efforts to cater to the public taste as they are successfully doing. The ballet "La Bouquetiere," in which all the female stars appear, songs by Eva Brent and Madelaine Hardy, games of strength by the Buislays, personations by Macarthy, and Ethiopian eccentricities by Carter, Gerrard, and Schoolcraft, are followed by "Love in the Mountains" and "The Secret Lovers," in the bill for to-morrow night.

THE OLYMPIC MUSIC HALL.—A large crowd attend nightly the Olympic. Excellent and unequaled variety is the secret of the success of manager Hart. "Les Abeilles" a beautiful ballet in which the Maylings Louisette, Albertina and Becket appear, is the gem of the evening's performance. "New novelties nightly," is the axiom on which the manager seems to act.

THE RUTH.—Mellie Sanderson is still the favorite on the boards of the Ruth, and seems to gain a higher place nightly in popular esteem.

THE METROPOLITAN.—Large crowds nightly throng the Metropolitan to witness the comicalities of Clannen and Pell, and watch Dixon and Cherrie as they glide through the poetry of motion on the "light fantastic toe."

COURT REPORTS.

United States District Court—Hon. E. H. Durell, Judge.

United States vs. 7 barrels and 3 casks rum. Decree of condemnation.

United States vs. 25 barrels rum. Decree of condemnation.

United States vs. 8 barrels rum. Decree of condemnation.

United States vs. 15 barrels and 15 half barrels whisky. Decree of condemnation.

United States vs. 1barrel of whisky. Decree of condemnation.

Naturalized—John Flaharen, John Mc Leod.

Supreme Court of Louisiana.

Dubuc vs. Vass. Rehearing denied.

Marx vs. Knight. Rehearing denied.

Sullivan vs. Sabatier. Rehearing granted on question of non suit.

Bauer vs. Shackleford. Rehearing granted.

Taylor & Knapp vs. McGee. Appeal from a judgment upon interrogatories answered by a garnishee. Dismissed.

Maurice Schott vs. I. Levy. Motion to dismiss appeal overruled.

Bertoulin vs. Bourgoin. The court decided in this case the citation was improperly issued, not being addressed to the defendant by name. Judgment reversed and cause remanded to be issuance of proper citation.

Bayley vs. McKnight. An appeal from an order of seizure and sale. The errors assigned were that the curator did not give evidence of his letters of curatorship, nor were the promissory notes, the evidences of indebtedness, stamped according to the revenue law.

The court decided the notes were given to secure a mortgage in the hands of the holder of the notes and letters of curatorship were not necessary to be shown and the notes need not be stamped as they were executed prior to October, 1862, affirming Bauer vs. Shackleford. Judgment of the lower court affirmed.

William Mithoff vs. Byrne, Vance & Co. The defendants sold to plaintiff one hundred bales of cotton at a specified price, the sale evidenced by a written contract which recited that the cotton was that of Levin & Elliot, planters, and spoke of delivery if sellers could ship it. Defendants contended the cotton was sold by them as agents of Levin & Elliott and offered parol evidence to prove it. The court below ruled out this parol evidence as tending to vary the written contract. The supreme court held it was admissible. The word "sellers" was ambiguous, and parol evidence could be admitted to explain, but not vary, the written contract. Judgment reversed, and cause remanded for a new trial; the rejected evidence to admitted if offered anew.

Converse, Hardinge & Co. vs. Blum, Kahn & Co. Motion to dismiss the appeal, on the ground that the bond on appeal was insufficient. The amount of the bond was fixed by the court, and did not exceed by one half the amount of the judgment. It is not good for a suspensive appeal but is good for a devolutive one. The motion to dismiss was overruled.

Succession of John Crusius, opposition to homologation of the tableau of the executor on the part of the State. The heirs are residents of Bavaria in Europe, and by the treaty of 1845 between the United States and the kingdom of Bavaria, no tax was to be paid by any heirs residents of Bavaria of inheritances in the United States. The State tax upon the heirs in successions must yield to that treaty. The judgment of the lower court homologating the tableaux of the executor without providing for the payment of the State tax was affirmed.

Riggins vs. Merchants' Bank; action to forfeit the charter of the bank on the ground of non-payment of its issue. The bank failed to answer, but no default was entered and judgment was rendered. This was error. Judgment rendered, and cause remanded to proceed according to law.

Lallande vs. Ingram, and same vs. Davis. Davis was a subscriber for 1000 shares, $25 each, of the capital stock of the Mechanics' and Agricultural Fair association, but the certificates were never issued to him. He pledged them by a written instrument to Lallande. Ingram sued him and issued execution and levied upon them. Lallande then enjoined the execution of Ingram on the ground these shares were his by hypothecation. The court decided these shares not having been issued by certificates were not the subject of hypothecation, and that Ingram by his execution obtained a superior right to Davis's interest. Judgment affirmed, and amended by striking out the five per cent. interest allowed, as this is not a case for the recovery of interest.

James vs. Fellows & Co. Judgment reserved.

Denton vs. Woods. Denton and Irwin were copartners and purchased real estate, batture property above the triangle buildings, which stood in the name of Irwin. The latter had obtained against him individually a number of judgments upon which execution was levied upon this and other property, but no sale made. Denton then sued Irwin for partition, and pending this action the property was sold entire on another execution to the defendant Woods. Denton obtained a judgment against Irwin for his undivided half, and this action is to have his rights ascertained against Woods, the purchaser of the whole, on the ground that he had notice of Denton's claim by the institution of the original partition suit. The court affirmed the judgment of the court below, decreeing a partition, as Woods could not buy more than Irwin had.

Robertson vs. A. Levy. Motion to dismiss appeal overruled, and judgment for defendant as of non suit.

Bowman v. Gonegal. In this case it appears that Gonegal contracted with Governor Pettus, of Mississippi, to furnish him from New Orleans salt to the value of $5000, and to receive in payment thereof cotton belonging to the Confederate government. Gonegal obtained the money from Bowman, and agreed with Bowman he should share one half in the profits of this and all other transactions to grow out of these relations. Gonegal never consummated the barter as far as the evidence is concerned, and Bowman brings this action to recover back the $5000. The court held that while as a general rule they would not inquire outside of the evidence and the record into the motives of parties to contracts, yet the illegality of a contract could be shown at any time, and it was in the interest of public justice to permit it. This was a contract to aid directly in furnishing supplies and buying materials from those who were endeavoring to destroy the government of the United States and to disrupt the Union. Such an action cannot stand in our courts, and parties cannot there seek redress for the ill success of their illicit schemes. Judgment that the action be dismissed.

Bounin vs. Elliott. Verdict, $1000 for slander. Judgment affirmed.

Richard Taylor vs. Mohan, controller. The plaintiff is the lessee of the new canal. Prior to its lease a bridge was authorized to be built over it at Liberty street. The defendant, as controller of the city adjudicated the contract and the plaintiff sought by injunction to restrain the imprisonment. The court affirmed the judgment of the court below dissolving the injunction.

City Bank vs. Bellocq, Noble & Co. Motion to dismiss appeal as not taken within judicial time. The time is to be counted from the day the judgment is signed, not when entered, but the appellant has lost his rights, otherwise there is no error in the record; judgment affirmed.

Nalle vs. Ventress. Judgment amended to eight not ten per cent. interest; otherwise affirmed.

Hope Insurance Company vs. Succession of Kingsland. Judgment rendered. The Insurance company not liable to pay over the whole amount of proceeds of seizure and sale to await the preferences in the succession; ordered to pay over surplus and give a sufficient bond to refund all legal charges to the succession when collectable.

Addison vs. Stettson. Defense that the note was given as the price of a slave. Judgment reversed, and judgment for defendant, affirming Wainright vs. Bridges. [Published by the REPUBLICAN a week ago.—REP.]

Grenellion vs. Cronsillac, Tate vs. Fletcher, Austin vs. Sandel. Decided on the principles of Addison vs. Stettson, as above.

LaPlace vs. Heydel. Judgment affirmed.

Meyers vs. Simmons. Judgment affirmed.

Jacob vs. Macon. Judgment affirmed.

Wright vs. Cummings. Judgment affirmed.

Arsowsmith vs. Rappelge. Appeal dismissed.

Succession of Pitkins. Opposition to the homologation of the tableau of the executor on the item of attorney's fees. Judgment affirmed. Peter Marcy v. Merchants Mutual Insurance company. Suit to recover the value of the insurance on the ship Petigru, destroyed by fire at the wharf at New Orleans on the twenty-fourth April 1862. The evidence showed the vessel was burned by the Confederates under the command of Governor Moore and General Lovell. This was an exception of risk in the policy. The plaintiff urged the fire was the result of general conflagration. The court held that the insurance company was absolved from the risk. Judgment affirmed.

River News.

OFFICE NEW ORLEANS REPUBLICAN, Monday Morning, June 3, 1867.

ARRIVALS—Bart Able, Starlight, Rose Franks, from Bayou Macon; Silver Spray, Cincinnati; Olive Branch, St. Louis; Richmond, Louisville, General Quitman, B. L. Hodge, Cairo.

BOATS IN PORT—New Era, George D. Palmer, H. A. Homeyer, Cuba No. 2, Pioneer, Bart Able, Judge Fletcher, Starlight, Rose Franks, Irene, T. D. Hine, B. L. Hodge, General Quitman, Silver Spray, Olive Branch, St. Marys, Richmond.

Marine Intelligence.

OFFICE OF THE DAILY REPUBLICAN, Tuesday Morning, June 4, 1867.

Arrived Sunday.

Steamship George Cromwell, Vaill, from New York 25th ult, to A Moulton—2d dist.

Steamship St Louis, Clausen, from Boston 23d ult, Creevy, Nickerson &co—4th dist

Steamship Crescent, Hawthorn, from Indianola, to C A Whitney &co—1st dist

Bark Lucy A Nichols, Ford, 10 days from Las Tunas, to A Couturie &co—Algiers

Brig Galveston, Merriman, 18 days from Havana, to A Couturie &co—3d dist 32

STEAMBOATS.

Olive Branch, Jones, from St Louis.
Nick Longworth, Irvin, from Louisville.
Gen Quitman, White, from Cairo.
Starlight, Hays, from Jefferson.
Rose Frank, Stroaker, from Camden.
Aloe, Hadovich, from Fort Jackson.
Planter, Newberry, from Montgomery.

Cleared Yesterday.

Br steamship Pizano, Thomham, for Matamoros—H E Woodhouse

Steamship Hudson, Burt, for Indianola, in ballast—Master

Bark Kate Stamler, Crawford, for Galveston—Geo W Hynson &co

Bark Rome, Moses, for Bordeaux—Creevy, Nickerson &co

Schr Elizabeth, Frith, for Boston—Master

Arrived Yesterday.

Steamship Lizzie, Webber, from Pensacola, to master—New Basin

Steamship Lillian, Olsen, from Sabine Pass, to D McCoard—2d dist

Steamship Raleigh, Marshman, from New York 26th ult, to Jas Connolly &co—1st dist

Steamship Mariposa, Quirk, from New York, to Creevy, Nickerson &co—2d dist

Brig Mary O Rosevelt, Farnsworth, from Cardenas, to A Couturie &co—3d dist 32

Brig Mary C Haskell, Haskell, from New York, to G A Fosdick—Point

Schr Andromeda, Ansley, from Havana, to J Avet—2d dist 18

Schr Mary A Rich, Ross, from New York, to master—2d dist 19

Schr Annie A Rich, Lewis, from New York, to Geo W Hynson &co—Point

Schr J Simonson, Ellis, from New York, to G A Fosdick—1st dist 16

Sloop Elizabeth, Michael, from Pointe-a-la-Hache, to master—2d dist 15

Luggers Magenta, Union and Hope, from Pointe-a-la-Hache, to masters—2d dist 15

Luggers Belle Creole, Mary, Orleans, Gem, La Victoire, Three Brothers, El Lucon, Lady, Secrecy and Trident, from Lafourche, and Upper Coast—2d dist 15

Lugger Flying Cloud, Gerera, from Grand Caillou, to master—2d dist 15

TOWBOATS.

Harry Wright, Wright, from the Passes—Towed down and to sea, 31st ult, brigs Robt Peel and Mary Rood—Brought up brig Mary C Haskell, schrs Annie A Rich and Mary A Rich

Wilson, Conkard, from the Passes—Towed down and to sea, 29th ult, ship Lisbon, and schrs Henry Travers and Rosa—Brought up bark L A Nichols

Perry, Burdick, from the Passes—Towed down and to sea, ship Glendower, brigs Sarah Harris and Jovia Joaquim—Brought up schr Andromeda

Calhoun, Jackson, from the Passes—Towed down and to sea, ships Helen Clinton and Merchant, schrs Fanny Ealer and S P Haines—Brought up brig Galveston

Gladiator, Schultz, from the Passes—Towed down and to sea, 27th ult, bark Ocean Eagle, brig Etta M Tucker and schr Louisa Crockett—Brought up brig Mary C R see It and schr J Simonson

Mohawk, Arnold, from St Louis, with 7 barges

STEAMBOATS.

Richmond, Neal, from Louisville.
Thos P May, Taylor, from Burras Settlement.
Louise, Hopkins, from Mobile.
Silver Spray, Fenton, from Cincinnati.
T D Hine, Roots, from Jefferson.
New Era, Dugas, from Lockport.
Nina Simms, Troxler, from Bayou Sara.
A G Brown, Sieward, from Fort Jackson.
Mittie Stephens, Pickett, from Washington.

Masters of Vessels

Will confer a favor upon the press by hoisting their signal numbers (Rodgers' or Marryatt's Code) on arriving within five miles of Southwest Pass Bar. By this means their arrival will be reported several hours in advance of the time it now requires to ascertain their names.

The telegraph station at Southwest Pass is provided with signal books and can receive communications by means of signal flags. B. W. OSBON, Boarding Officer, S W Pass.

Exports.

MATAMOROS—Steamship Pizano—142 bbls flour 200 reams paper 200 bxs starch 125 bxs soap 25 do vin-e, at 100 sks corn 75 bags coffee 100 bdls shingles 125 bxs candles 10 bxs sugar 40 do claret 70 cks wine 20 sks rice 50 tcs lard 1 bbl turpentine 1 bbl oil 4 kegs nails 10 bbls potatoes 9 do tobacco 68 bales tobacco 512 pkgs mdse

BOSTON—Schr Elizabeth—66 tons knuckle bones 44,500 shin bones

GALVESTON—Bark Kate Stamler—400 bbls lime 400 bu corn 50 bales hay

BORDEAUX—Bark Rome—8 bales cotton 98,620 staves

Imports.

INDIANOLA AND GALVESTON—Steamship Crescent—8 bales cotton Perkins, Swenson &co—3 do Jennings, Wicks &co—1 bale wool Francke & Dannes—4 bags do Summerville & Davis—$100 currency Page, Peel & Moran—161 head cattle to McQuoid, Mobile &co—sundries to order—Total, 11 bales cotton

HAVANA—Brig Galveston—392 bxs sugar 415 hhds sugar 81 tcs 498 hhds molasses A Couturie &co

HAVANA—Schr Andromeda—1 case jelly Huntington & Bro—289 hhds 59 tcs 12 bbls molasses J Avet

CARDENAS—Brig Mary O Rosevelt—135 hhds of molasses 333 hhds sugar 208 bxs sugar to A Couturie &co

NEW YORK—Schr Mary A Rich—Asstd mdse

NEW YORK—Schr Annie A Rich—Asstd mdse

NEW YORK—Schr A Simonson—Asstd mdse

NEW YORK—Brig Mary C Haskell—Asstd mdse

NEW YORK—Steamship Geo Cromwell—Asstd mdse

NEW YORK—Steamship Mariposa—Asstd mdse

MOBILE—Steamer Louise—190 bales cotton to A Lamotte—sundries to order

LAS TUNAS—Bark Lucy A Nichols—91 tcs and 615 hhds sugar to A Couturie &co

PENSACOLA—Steamship Lizzie—Lumber

NEW YORK—Steamship Raleigh—Asstd mdse

Consignees.

Per steamship St Louis, from Boston—E. Rager & co—C A Whitney &co—J Henry &co—S D Moodi &co—Page, Peel & Moran—Blake & Tower—H H Drake—Hoffman & Marks—Russell & Hall—E Marquere—O George—C Myatt—Krull & Dietz—C E Cate &co—S Bright—S B McConico—M Mctiran—Barrett & Woman—Rosenberg, Scherck & Berkson—S Locke—W W Warren—Kurshedt & Bienvenu—J Manoney—Blancand & Gauet—N Smith—J H Morris—Knight &co—Voss Bros—E Hacker—Demeritt & Debruil—J Walters—Kearney, Blois &co—L Grunewald—A Ferrell &co—Bouton, Smith &co—Levi & Sayre—W & C Blanchard—R L Morse—A D Grieff—V Oehmichen—H T Hill—H Pinard—Wallace &co—H Stomberg—S Zelnicker—E Thompson &co—C C Sampson—B Rosenberg—E J Hart &co—A F Cochran—Read & Hunt—E Conery &co—Montgomery Bros—W M Grant &co—C H Coffin—Bosco & Simms—J B Flotts—Taylor & Churchill—Grieff & Byrnes—W A Peck—G S Mandeville—E Lane—J J Weckerling—Kieffer Bros—Slocomb, Baldwin &co—M Kaufman &co—G Bachelf—Jno Gan &co—H Lynam &co—Blelock &co—G A Fosdick—D Hirsch—P Heath—J Morse—Foster &co—C Raymond—W & J McCracken—F Heermann—Wood, Low & Ludwigsen—Order

Per schr J Simonson, from New York—A D Grieff—Pothoff & Knight—S M Todd &co—G Leaumont—P Mallard—R M Denman &co—E J Hart &co—Austin & Goodwin—Slocomb, Baldwin &co—G A Fosdick—Stark, Stauffer &co—P Dwyer—W P Converse jr—W Fisher—Booth &co—B L Mann &co—Grieff & Byrnes—Block Fros—H S Ward—S Hernsheim—S H Aby &co—S Locke—T B Bodley &co—H Ware & Son—B Hanson—Hill & Veazie—Wheelock, Finlay & Hall—E Hacker—Jno Gauche—C Waitz—Order

Per schr Annie A Rich, from New York—A Moulton—Barnes, Ward &co—H Uthoff—Gordon & Herrick—H T Hill &co—S W Hoyt—O Bercier &co—A G Phillips—Kearny, Blois &co—Mitchell, Craig &co—A Wolf—W P Converse jr—Hamilton & Dunnica—Bartels & Wood—Stark, Stauffer &co—J Folger &co—J H Summers—Schmidt & Zeigler—C C Sampson—F F W Bohring—R M Denman &co—Arthur, Stone &co—S Marx &co—H Haller—J S Maunsell—L Fix—J Elkin—W & J McCracken—Slocomb, Baldwin &co—A Koening—Carroll, Hoy &co—J Syme—J M Vogel—Berry & Rorand—and others

Per brig Mary C Haskell, from New York—Hill & Veazie—P G O'Riley—J Simon—G T Beauregard—A Lasata—Potnoff & Knight—G A Fosdick—M Whelehan—L A Guillman—H S Ward—J W Burbridge &co—W P Converse jr—T Hoffman—and others

Receipts of Produce.

LOUISVILLE—Steamer Richmond—1126 sks corn E W Burbank—940 do Ober, Atwater &co—1135 do to Ethell & Thomas—264 do Howard, Prestons & Barrett—667 do P S Dufouchet &co—1800 do Elder & Goodwin—170 do Lamb, Quinlan &co—229 do to order 1134 do Lehman, Newgass &co—551 do Ellis & Chambers—69 P G O Riley—1172 do Hamilton & Dunnica—5 hhds tobacco Howard, Prestons & Barrett—10 do E Brown &co—16 do Torain, McRae &co—3 do Wilson & Young—23 do Jno E King—1 do E C Roach &co—5 do Yeatman & Wheeless—15 do Bell, Harris & co—4 do Kirkpatrick & Keith—7 Beadles, Wingo &co—10 sks corn J C Huey &co—5 coops poultry to H Hawkins—3 bbls flour 2 do bbls meal Ethell & Thomas—100 tcs hams 1 bb do 361 kegs lard 1 tcs bacon to F F Mitchell &co—30 hf bbls beer Schmidt & Zeigler—100 bales hay P G O'Reily—5 bbls eggs 2 kegs butter F Del Bondio—1 half bbl 12 bbls eggs 12 half bbls of cheese 180 kegs lard 4 kegs butter to Schneider & Zuberbier—1 csk bacon 1 hhd lard Biscoe & Simms—25 sks corn 1 cks bacon H Knox &co—100 bbls flour to Martinez & Palacio—1 cultivator M J Smith &co—3 horses M Hiller &co—132 pcs castings 6 stoves to Campyman &co—4 pumps and fixtures W L Cushing—1 roll leather U Weisman—22 coops poultry 80 head cattle J H Jones—21 pkgs mdse Miss E Hackley—25 tcs lard J iron safe J Hothheimer—1 bbl seed Stewart, Galbreath & Fizer—1 pkg mdse W H C King—21 bales cotton T & S Henderson—3 do D R Carroll &co—5 do Jno Williams & Son—9 Boyd, Coleman & Orabam—sundries to order—Total, 37 bales cotton 97 hhds tobacco

CINCINNATI—Steamer Silver Spray—60 bbls pork 103 bbls pork 28 bxs bacon 10 bxs beef J J Adams &co—lot furniture F Abadie—D Kelham &co—lot do Mitchell, Craig &co—C U Sampson—H Uthoff—H Pinrud—N Whitney—Geo D Hite—J B Hubbard—W & J McCracken—Montgomery Bros—lot machinery Knight &co—T R Bodley &co—35 tcs hams O Bercier &co—31 kegs butter 30 hf bbls beer F Del Bondio—59 kegs 100 sks malt J A Blaffer—12 bbls whisky Elmore, Wooldridge &co—7 kegs butter J B Campighor 1 bx mdse J P Coulon—15 hhds coal J Desban—495 sks malt 4 bales hops A Eartie &co—1 box books to L Grunewald—25 bxs cheese Forchimer Bros—3 cases sundries C A Whitney &co—9 tubs butter M Gilyandren—2 hhds tobacco L Gunther &co—54 pkgs butter 10 tcs hams 25 bxs bacon Keep & Caulfield—100 bxs of candles 306 bbls whisky S H Kennedy & co—181 sks corn McGregor Bros—24 do 1 csk bacon 2 bxs bacon Fatjo, Marks &co—3 bxs hardware 189 bxs cheese 51 bbls vinegar 20 kegs meal McFarian, Straight &co—1 iron safe J W Norris &co—14 tcs hams 12 hhds bacon J H Oglesby &co—2 buggies P Lanier—1 bbls whisky Prothro, Carothers &co—20 tcs hams 1 tcs bacon 67 pkgs butter Schneider & Zuberbier—20 clothes washer Shepard, Abbott &co—100 sks malt 240 do ship stuff Scott, Gros—251 tcs hams stmr Silver Spray—4 bxs tobacco C E Spencer &co—10 pkgs tobacco Wilson & Fatton—40 hf bbls beef Vose Bros—100 sks corn J Younker—475 bbls pork 11 hhds bacon D W C Sanford &co—sundries to order

JEFFERSON—Steamer T D Hine—134 bales cotton Ober, Atwater &co—50 do J W Burbridge &co—35 to Keenan, Phifer & Norris—17 Jno Phelps &co—19 to Brooks, Macdonald &co—16 Carroll, Hoy &co—10 to Jonas & Eggleston—8 Speake & Buckner—8 J Robinson—8 R Lloyd—4 Clapp Bros &co—2 Jno Chaffe & Bro—4 bales hides 1 do leather 1 do skins 1 bag wool 1 bbl wax 1969 hides B L Mann &co—3 hhds sugar to Adams & Cockburn—73 hides 32 skins Carroll, Hoy & co—2 rolls leather A F Dunbar—2 bales wool Ober, Atwater &co—1 csk bacon Arthur, Stone &co—2 bales skins 1 bag 1 bale wool 76 hides J Robinson—5 bdls hides 1 do skins Brooks, Macdonald &co—4 sheep J Getsinger—40 head cattle T G Noel—sundries to order—Total, 235 bales cotton

LOCKPORT—Steamer New Era—8 bales cotton to Ar Miltenberger—10 hhds sugar A Brousseau &co—48 sks onions 47 sks potatoes L Surle—6 bbls potatoes to L Lacassagne—60 do 200 sks potatoes 13 sks onions 1 bbl do L Terrebonne—14 sks onions 42 sks potatoes M Lefort—25 do J S Greves—10 do 5 sks onions and sundries to order—8 bags rags M Harris—9 sks potatoes 1 tun wax 1 bdl skins F Laserot—22 bales moss H Mc Coll—1 do J I Adams &co—11 bdls hides E Ferre—42 empty bbls Isaacson & Seixas—sundries to order—Total, 8 bales cotton

BAYOU SARA—Steamer Nina Simms—1 bales of wool L Guillan—1 bag skins 1 hhd horns 1 hhd 1 bdl hides L L Lacassagne—4 sks onions 1 hx horns 41 sks of potatoes L Terrebonne—61 head cattle J M Bay—16 J Moreau—7 bales moss M Hatito—167 sks potatoes to J Bethancourt—36 do Llambias & Dockler—7 do S Gern-backer—16 bbls potatoes J Beltrans—6 do J A Gras—1 do R Handy—7 mules E A Turner—3 bdls hides 1 bbl tallow D Didier—1 sks wool Randall &co—1 do A Levi—4 sks potatoes L Dunnestier—sundries to order

ST LOUIS—Steamer Mohawk and barges—11,220 sks corn 300 bbls flour C E Slayback &co—100 do to Lamb, Quinlan &co—150 do S H Kennedy &co—50 do Jas Connolly &co—200 do C A Whitney &co—65 do 333 sk corn Hamilton & Dunnica—800 do Geo Martin—155 do Woods, Mathews &co—1918 do 20 cks bacon to J F Moore—418 sks bran 100 bbls flour Kohler & Updike—200 do Prudhomme & Elliott—100 F Del Bondio—40 bbls meal to order—100 do 30 cks bacon Ethell & Thomas—15 tcs hams 20 bbls pork D W C Sanford & co—40 do G W Byr & co—76 sks bran J T Burdeau—20 pkgs stoves etc Ober, Atwater &co—32 do to G L Kouns & Bros—5 60 feet lumber F R Stevenson &co—3 barges ice U C Ice Co—2 do Hase, Loomis &co—Total, 11,4 sks corn 691 sks bran 1300 bbls flour

WASHINGTON—Steamer Mittie Stephens—8 bales cotton P J Paty &co—5 do Bernal & Gibert—1 hhd horns 77 hides M Wei—12 do L Lacassagne—2 bbls do J L Courret—40 do 15 calves 1 bale wool to P Geiger—3 bales moss F Cherot—1 do moss lot of hides and sundries to order—Total, 12 bales cotton

FORT JACKSON—Steamer A G Brown—83 sks rice F Martin—23 do Pinard & Follon—36 do Foley & Avery—sundries to order

POINTE-A-LA-HACHE—Luggers Magenta and others—166 bbls pots ces 7 bbls onions to order

LAFOURCHE AND UPPER COAST—Lugger Mary and others—413 bbls potatoes 200 bbls onions to order

GRAND CAILLOU—Lugger Flying Cloud—4 tons cotton seed 7 bales moss to order

BURAS SETTLEMENT—Steamer Thos P May—Sundries to order

POINTE-A-LA-HACHE—Sloop Elizabeth—35 bbls potatoes to order

ST LOUIS—Steamer Olive Branch—86 hhds tobacco and sundries to order

CAIRO—Steamer Gen Quitman—1517 bales cotton 107 hhds tobacco and sundries to order

LOUISVILLE—Steamer Nich Longworth—28 hhds tobacco and sundries to order

CAMDEN—Steamer Rose Franks—37 bales cotton and sundries to order

MONTGOMERY—Steamer Planter—42 bales cotton and sundries to order

JEFFERSON—Steamer Starlight—273 bales cotton and sundries to order

FORT JACKSON—Steamer Aloe—Sundries to order

The Albany *Evening Journal* breaks ground in favor of General Grant for president in 1868.

OFFICIAL:

LAWS OF THE UNITED STATES.

Passed at the Second Session of the Thirty-Ninth Congress.

AN ACT granting lands to the State of Kansas to aid in the construction of the Kansas and Neosho Valley railroad and its extension to Red river.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of aiding the Kansas and Neosho Valley Railroad Company, the same being a corporation organized under the laws of the State of Kansas, to construct and operate a railroad from the eastern terminus of the Union Pacific railroad, eastern division, at the line between Kansas and Missouri, at or near the mouth of the Kansas river, on the south side thereof, southwardly, through the eastern tier of counties in Kansas, with a view of its extension so as to effect a junction at Red river with a railroad now being constructed from Galveston to Red river at or near Preston, in Texas, there is hereby granted to the State of Kansas for the use and benefit of said railroad company every alternate section of land or parts thereof, designated by odd numbers, to the extent of ten sections per mile on each side of said road, to be selected within twenty miles from the line of said road; but in case it shall appear that the United States have, when the line of said road is definitely located, sold any section, or any part thereof, granted as aforesaid, or that the right of pre-emption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected for the purposes aforesaid, from the public lands of the United States nearest to the sections above specified, so much land as shall be equal to the amount of such lands as the United States have sold, reserved or otherwise appropriated, or to which the right of homestead settlement or pre-emption has attached as aforesaid, which lands, thus indicated by the direction of the Secretary of the Interior, shall be reserved and held for the State of Kansas for the use of said company by the said Secretary for the purpose of the construction and operation of said railroad, as provided by this act: Provided, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement or other purpose whatever, be, and the same are hereby, reserved and excepted from the operation of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands, in which case the right of way two hundred feet in width is hereby granted, subject to the approval of the President of the United States: And provided further, That none of the lands hereby granted shall be selected beyond twenty miles from the line of said road.

SEC. 2. And be it further enacted, That the sections and parts of sections of land which by the aforesaid grant shall remain in the United States, within ten miles on each side of said road, shall not be sold for less than double the minimum price of public lands when sold, nor shall any of said lands become subject to sale at private entry until the same shall have been first offered at public sale to the highest bidder, at or above the minimum price aforesaid: Provided, That actual bona fide settlers under the pre-emption laws of the United States may, after due proof of settlement, improvement, and occupation, as now provided by law, purchase the same at the price fixed for said lands at the date of such settlement, improvement, and occupation: And provided also, That settlers under the provisions of the homestead act, who make their settlement after the passage of this act, and comply with the terms and requirements of said act, shall be entitled, within the said limits of ten miles, to patents for an amount not exceeding eighty acres each.

SEC. 3. And be it further enacted, That the grant of lands hereby made is upon condition that said company, after the construction of its road, shall keep it in repair and use, and that at all times be in readiness to transport troops, munitions of war, supplies, and public stores upon its road for the government, when required to do so by the government, at the cost, charge, and expense of said company. And the lands hereby granted, held, and reserved as aforesaid shall inure to the benefit of said company, as follows: When the governor of the State of Kansas shall certify that any section of ten consecutive miles of said road is completed in a good substantial, and workmanlike manner as a first-class railroad, then the said Secretary of the Interior shall issue to the said company patents for so many sections of the land within the limits above named as are coterminous with said completed section hereinbefore granted; and when certificates of the governor aforesaid shall be presented to said Secretary, of the completion, as aforesaid, of each successive section of ten consecutive miles of said road, the said Secretary shall in like manner issue to said company patents for the land for each of said sections of road as in the first instance, until said road shall be completed: Provided, That if said road is not completed within ten years from the date of the acceptance of the grant hereinbefore made, the lands remaining unpatented shall revert to the United States: And provided further, That the said lands shall not, in any manner, be disposed of or incumbered by said company or its assigns, except as the same are patented under the provisions of this act.

SEC. 4. And be it further enacted, That as soon as said company shall file with the Secretary of the Interior maps of its line, designating the route thereof, it shall be the duty of the said Secretary to withdraw from the market the lands granted by this act, in such manner as may be best calculated to effect the purposes of this act and subserve the public interest.

SEC. 5. And be it further enacted, That the United States mail shall be transported on said road and its extension, under the direction of the Post Office Department, at such price as Congress may by law provide: Provided, That until such price is fixed by law the Postmaster General shall have power to fix the compensation.

SEC. 6. And be it further enacted, That the right of way through the public lands be, and the same is hereby, granted to said Kansas and Neosho Valley Railroad Company, its successors and assigns, for the construction of a railroad as proposed; and the right is hereby given to said corporation to take from the public lands adjacent to the line of said road material for the construction thereof. Said way is granted to said railroad to the extent of one hundred feet in width on each side of said road where it may pass through the public domain; also all necessary ground for station buildings, workshops, depots, machine shops, switches, side-tracks, turn-tables, and water stations.

SEC. 7. And be it further enacted, That the acceptance of the terms, conditions, and impositions of this act by the said Kansas and Neosho Valley Railroad Company shall be signified in writing, under the corporate seal of the said company, duly executed pursuant to the direction of its board of directors first had and obtained, which acceptance shall be made within one year after the passage of this act, and not afterwards, and shall be deposited with the Secretary of the Interior.

SEC. 8. And be it further enacted, That said Kansas and Neosho Valley railroad Company, its successors and assigns, is hereby authorized and empowered to extend and construct its railroad from the southern boundary of Kansas south, through the Indian territory, to Red river, at or near Preston, in the State of Texas, so as to connect with the railway now being constructed from Galveston to a point at or near Preston, in said State; the right of way through the Indian territory wherever such right is now reserved or may hereafter be reserved to the United States, by treaty with the Indian tribes, is hereby granted to said company to the same extent as granted by the sixth section of this act through the public lands; and in all cases where the right of way as aforesaid through the Indian lands shall not be reserved to the government, the said company shall, before constructing its road, procure the consent of the tribe or tribes interested, which consent, with all its terms and conditions, shall be previously approved and indorsed by the President, and filed with the Secretary of the Interior.

SEC. 9. And be it further enacted, That the same grants of lands through said Indian territory are hereby made as provided in the first section of this act whenever the Indian title shall be extinguished by treaty or otherwise, not to exceed the ratio per mile granted in the first section of this act: Provided, That said lands become a part of the public lands of the United States.

SEC. 10. And be it further enacted, That said Kansas and Neosho Valley Railroad company, its successors and assigns, shall have the right to negotiate with, and acquire from, any Indian nation or tribe authorized by the United States to dispose of lands for railroad purposes, and from any other nation or tribe of Indians through whose lands said railroad may pass, subject to the approval of the President of the United States, or from any company or parties incorporated or authorized for such purposes, by such nation or tribe, or which such parties may have acquired under the laws of the United States.

SEC. 11. And be it further enacted, That any railroad company chartered under any law of the United States, or of the State of Kansas, which may have been heretofore or shall hereafter be recognized and subsidized by any act of the Congress of the United States, may connect, unite, and consolidate with this railroad company, after the same shall be located to the valley of the Neosho river, upon just, fair, and equitable terms, to be agreed upon between the parties, and shall not be against the public interest or the interest of the United States; nor shall any road authorized to connect as aforesaid charge the road so connecting a greater tariff per mile for freight or passengers than is charged for the same per mile by its own road: And provided further, That should the Leavenworth, Lawrence, and Fort Gibson Railroad Company, or the Union Pacific Railroad Company, southern branch, construct and complete its road to that point on the southern boundary of the State of Kansas where the line of said Kansas and Neosho Valley railroad shall cross the same, before the said Kansas and Neosho Valley Railroad Company shall have constructed and completed its said road to said point, then and in that event the company so first reaching in completion the said point on the southern boundary of the State of Kansas shall be authorized, upon obtaining the written approval of the President of the United States, to construct and operate its line of railroad from said point to a point at or near Preston in the State of Texas, with grants of land according to the provisions of this act, but upon the further special condition, nevertheless that said railroad company shall have commenced in good faith the construction thereof before the said Kansas and Neosho Valley Railroad Company shall have completed its said railroad to said point: And provided further, That said other railroad company, so having commenced said work in good faith, shall continue to prosecute the same with sufficient energy to insure the completion of the same within a reasonable time, subject to the approval of the President of the United States: And provided further, That the right of way through private property, when not otherwise provided for in this act, or by the laws of any State through which the road may pass, shall be obtained by said Kansas and Neosho Valley Railroad Company, or either of the other companies named in this act, in accordance with the provisions of section three of an act to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri river to the Pacific ocean and to secure to the government the use of the same for postal, military, and other purposes," approved July first, eighteen hundred and sixty-two.

Approved July 25, 1866.

AN ACT granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific railroad, in California, to Portland, in Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the "California and Oregon Railroad Company," organized under an act of the State of California, "to protect certain parties in and to a railroad survey, to connect Portland, in Oregon, with Marysville, in California, approved April sixth, eighteen hundred and sixty-three, and such company organized under the laws of Oregon as the legislature of said State shall hereafter designate, be, and they are hereby, authorized and empowered to lay out, locate, construct, finish and maintain a railroad and telegraph line between the city of Portland in Oregon and the Central Pacific railroad, in California, in the manner following, to wit: The said California and Oregon Railroad Company to construct that part of the said railroad and telegraph within the State of California, beginning at some point (to be selected by said company) on the Central Pacific railroad in the Sacramento valley, in the State of California, and running thence northerly, through the Sacramento and Shasta valleys, to the northern boundary of the State of California; and the said Oregon company to construct that part of the said railroad and telegraph line within the State of Oregon, beginning at the city of Portland, in Oregon, and running thence southerly, through the Willamette, Umpqua, and Rogue River valleys, to the southern boundary of Oregon, where the same shall connect with the part aforesaid to be named by the first named company: Provided, That the company completing its respective part of the said railroad and telegraph from either of the termini herein named to the line between California and Oregon before the other company shall have likewise arrived at the same line, shall have the right, and the said company is hereby authorized to continue in constructing the same beyond the line aforesaid, with the consent of the State in which the unfinished part may lie, upon the terms mentioned in this act, until the said parts shall meet and connect, and the whole line of said railroad and telegraph shall be completed.

SEC. 2. And be it further enacted, That there be, and hereby is, granted to the said companies, their successors and assigns, for the purpose of aiding in the construction of said railroad and telegraph line, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores over the line of said railroad, every alternate section of public land, not mineral, designated by odd numbers, to the amount of twenty alternate sections per mile (ten on each side) of said railroad line; and when any of said alternate sections or parts of sections shall be found to have been granted, sold, reserved, occupied by homestead settlers, pre-empted, or otherwise disposed of, other lands, designated as aforesaid, shall be selected by said companies, in lieu thereof, under the direction of the Secretary of the Interior, in alternate sections designated by odd numbers as aforesaid, nearest to and not more than ten miles beyond the limits of said first named alternate section; and as soon as the said companies, or either of them, shall file in the office of the Secretary of the Interior a map of the survey of said railroad, or any portion thereof, not less than sixty continuous miles from either terminus, the Secretary of the Interior shall withdraw from sale public lands herein granted on each side of said railroad, so far as located and within the limits before specified. The lands herein granted shall be applied to the building of said road within the States, respectively, wherein they are situated. And the sections and parts of sections of land which shall remain in the United States within the limits of the aforesaid grant shall not be sold for less than double the minimum price of public lands when sold: Provided, That bona fide and actual settlers under the pre-emption laws of the United States may, after due proof of settlement, improvement, and occupation, as now provided by law, purchase the same at the price fixed for said lands at the date of such settlement, improvement, and occupation: And provided, also, That settlers under the provisions of the homestead act, who comply with the terms and requirements of said act, shall be entitled, within the limits of said grant, to patents for an amount not exceeding eighty acres of the land so reserved by the United States, anything in this act to the contrary notwithstanding.

SEC. 3. And be it further enacted, That the right of way through the public lands be, and the same is hereby granted to said companies for the construction of said railroad and telegraph line; and the right, power, and authority are hereby given to said companies to take from the public lands adjacent to the line of said road, earth, stone, timber, water, and other materials for the construction thereof. Said right of way is granted to said railroad to the extent of one hundred feet in width on each side of said railroad where it may pass over the public lands, including all necessary grounds for stations, buildings, workshops, depots, machine shops, switches, side tracks, turn-tables, water stations, or any other structures required in the construction and operating of said road.

SEC. 4. And be it further enacted, That whenever the said companies, or either of them, shall have twenty or more consecutive miles of any portion of said railroad and telegraph line ready for the service contemplated by this act, the President of the United States shall appoint three commissioners, whose compensation shall be paid by said company, to examine the same, and if it shall appear that twenty consecutive miles of railroad and telegraph shall have been completed and equipped in all respects as required by this act, the said commissioners shall so report, under oath to the President of the United States, and thereupon patents shall issue to said companies, or either of them, as the case may be, for the lands hereinbefore granted, to the extent of and coterminous with the completed section of said railroad and telegraph line as aforesaid; and from time to time, whenever twenty or more consecutive miles of the said road and telegraph shall be completed and equipped as aforesaid, patents shall in like manner issue upon the report of the said commissioners, and so on until the entire railroad and telegraph authorized by this act shall have been constructed, and the patents of the lands herein granted shall have been issued.

SEC. 5. And be it further enacted, That the grants aforesaid are made upon the condition that the said companies shall keep said railroad and telegraph in repair and use and shall at all times transport the mails upon said railroad, and transmit dispatches by said telegraph line for the government of the United States, when required so to do by any department thereof, and that the government shall at all times have the preference in the use of said railroad and telegraph therefor at fair and reasonable rates of compensation, not to exceed the rates paid by private parties for the same kind of service. And said railroad shall be and remain a public highway for the use of the government of the United States, free of all toll or other charges upon the transportation of the property or troops of the United States; and the same shall be transported over said road at the cost, charge, and expense of the corporations or companies owning or operating the same, when so required by the government of the United States.

SEC. 6. And be it further enacted, That the said companies shall file their assent to this act in the Department of the Interior within one year after the passage hereof, and shall complete the first section of twenty miles of said railroad and telegraph within two years, and at least twenty miles in each year thereafter, and the whole on or before the first day of July, one thousand eight hundred and seventy-five; and the said railroad shall be of the same gauge as the "Central Pacific railroad" of California, and be connected therewith.

SEC. 7. And be it further enacted, That the said companies named in this act are hereby required to operate and use the portions or parts of said railroad and telegraph mentioned in section one of this act for all purposes of transportation travel, and communication, so far as the government and public are concerned, as one connected and continuous line; and in such operation and use to afford and secure to each other equal advantages and facilities as to rates, time, and transportation, without any discrimination whatever, on pain of forfeiting the full amount of damage sustained on account of such discrimination, to be sued for and recovered in any court of the United States, or of any State, of competent jurisdiction.

SEC. 8. And be it further enacted, That in case the said companies shall fail to comply with the terms and conditions required, namely, by not filing their assent thereto as provided in section six of this act, or by not completing the same as provided in said section, this act shall be null and void, and all the lands not conveyed by patent to said company or companies, as the case may be, at the date of any such failure, shall revert to the United States. And in case the said road and telegraph line shall not be kept in repair and fit for use after the same shall have been completed, Congress may pass an act to put the same in repair and use, and may direct the income of said road and telegraph line to be thereafter devoted to the United States, to repay all expenditures caused by the default and neglect of said companies, or either of them, as the case may be, or may fix pecuniary responsibility, not exceeding the value of the lands granted by this act.

SEC. 9. And be it further enacted, That the said "California and Oregon Railroad Company" and the said "Oregon Company" shall be governed by the provisions of the general railroad and telegraph laws of their respective States, as to the construction and management of the said railroad and telegraph line hereinbefore authorized in all matters not provided for in this act. Wherever the word "company" or "companies" is used in this act, it shall be construed to embrace the words "their associates, successors, and assigns," the same as if the words had been inserted or thereto annexed.

SEC. 10. And be it further enacted, That all mineral lands shall be excepted from the operation of this act; but where the same shall contain timber, so much of the timber thereon as shall be required to construct said road over such mineral land is hereby granted to said companies: Provided, That the term mineral lands shall not include lands containing coal and iron.

SEC. 11. And be it further enacted, That the said companies named in this act shall obtain the consent of the legislatures of their respective States, and be governed by the statutory regulations thereof in all matters pertaining to the right of way, wherever the said road and telegraph line shall not pass over or through the public lands of the United States.

SEC. 12. And be it further enacted, That Congress may at any time, having due regard for the rights of said California and Oregon railroad companies, add to, alter, amend or repeal this act.

Approved July 25, 1866.

AN ACT to change the place of holding court in the northern district of Georgia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district court for the northern district of Georgia shall hereafter be held at Atlanta, instead of Marietta; and the clerk of said northern district is hereby required to remove all the books, papers, and records belonging to his office from Marietta to Atlanta.

SEC. 2. And be it further enacted, That all process made returnable to the court before held at Marietta shall be taken and considered returnable to the court at Atlanta.

Approved July 25, 1866.

AN ACT to revive the grade of general in the United states army.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grade of "general of the army of the United States" be, and the same is hereby, revived; and that the president is hereby authorized, whenever he shall deem it expedient, to appoint, by and with the advice and consent of the Senate, a general of the army of the United States, to be selected from among those officers in the military service of the United States most distinguished for courage, skill, and ability, who being commissioned as general, may be authorized, under the direction and during the pleasure of the president, to command the armies of the United states.

SEC. 2. And be it further enacted, That the pay proper of the general shall be four hundred dollars per month, and his allowance for fuel and quarters, when his headquarters are in Washington, shall be at the rate of three hundred dollars per month, and his other allowances in all respects the same as are allowed to the lieutenant general by the second section of the act approved February twenty-nine, eighteen hundred and sixty-four entitled "An act reviving the grade of lieutenant general in the United States army," and the chief of staff of the lieutenant general shall be transferred and be the chief of staff to the general, with the rank, pay, and emoluments of a brigadier general in the army of the United States; and the act approved March third, eighteen hundred and sixty-five, entitled "An act to provide for a chief of staff to the lieutenant general commanding the armies of the United States," is hereby repealed; and the said general may select, from the line of the army, for service upon his staff, such number of aids, not exceeding six, as he may judge proper, who, during the term of such staff service, shall each have the rank, pay, and emoluments of a colonel of cavalry. And it is hereby provided, that in lieu of the staff now allowed by law to the lieutenant general, he shall be entitled to two aids and one military secretary, each to have the rank, pay, and emoluments of a lieutenant colonel of cavalry during the term of such staff service.

Approved July 25, 1866.

AN ACT in relation to the unlawful tapping of government water pipes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unlawful tapping of any water-pipe laid down in the District of Columbia by authority of the United States is hereby declared to be a misdemeanor and an indictable offence; and any person who may be indicted for and convicted of such offense in the criminal court of the District of Columbia shall be subject to such fine as the court may think proper to impose, not exceeding five hundred dollars, or to imprisonment for a term not exceeding one year. And it is hereby made the special duty of the Commissioner of Public Buildings to bring to the notice of the attorney of the United States for the District of Columbia, or to the grand jury, any infraction of this law.

Approved July 25, 1866.

ATTORNEYS AT LAW.

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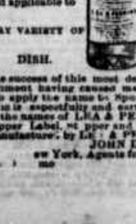

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