THE NEW ORLEANS DAILY BEE.
DUPOUY & LIMET, Proprietors.
No. 73 Chartres Street.

TERMS OF THE BEE
Terms of Subscription—Daily, per annum, in advance, $16; half-yearly, $8; quarterly, $4.
Price of the paper—Single copies, 10 cents.
The Semi-Weekly is published every Tuesday and Saturday. Subscription $5 per annum, invariably in advance.
Rates of Advertising—Standard advertisements having the run of the paper, first insertion $1 50 per square, each subsequent insertion, 75 cents per square.
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All Transient Advertisements must be paid for in advance.
All Advertisements not marked for any number of insertions, will be published six times.
All bills with regular advertisers, shall be rendered monthly.

NEW ORLEANS:
FRIDAY MORNING, MAY 21, 1869.

TRY GEORGE ALCEE' CIGARS,
185 ..... Hampstead Street 185

CAN NEGROES OBTAIN JUSTICE IN OUR STATE COURTS?

This question has been raised in the case of Moearty versus the Managers of the Opera House, now being tried in the District Court of the United States in this city. The complainant alleges he cannot obtain justice in our State Courts, and therefore brings his suit in a Federal Court by virtue of the Civil Rights Bill. He was ejected from the French Opera House because he was found in that part of the auditorium set apart for white persons, and sues the managers for fifteen hundred dollars damages. He does not set forth in his petition that he has endeavored to obtain justice in the tribunals of the State of Louisiana and that he has failed to obtain it, but merely avers his belief that being "a member of the Republican Party," the prejudices of the officers of the State Courts are such as to prevent a fair and impartial trial of his suit. He does not allege he is a colored man.

The defendants excepted to the jurisdiction of the United States Court on the ground that plaintiff failed to show that he had made any efforts to obtain justice in the State Courts. The Judge of the United States Court has overruled the exception, and the case will now be submitted on its merits to a jury. In the course of his decision the Judge went out of his way, it seems to us, to assperse the people of Louisiana. There was not a jot of evidence before him upon any obstacles being in the way of the plaintiff, or that his suit could not be fairly tried in a State court, but the Judge undertook to say it was within his own knowledge—that he expressly judicially—that *negroes were denied justice in this State*. He cited instances of *reported* outrages which he said "he knew no steps had been taken by State prosecuting officers to punish." Now we should like to ask how it is that a Judge can "know" any thing officially, of facts which have not been brought before him in the course of judicial proceedings. And is not this an imputation upon the friends and adherents of the Republican party who control at present the Government of Louisiana. Is not the Governor and the Attorney General of Louisiana Republicans? Are not most many of our District Judges and District Attorneys, Republicans, and friends of the negro population? If there be any discrimination against the negro, are they not the guilty parties?

But is it not going somewhat too far to condemn the people of Louisiana for defending themselves against the outbreaks—the pasions of a service peak—passions excited by the very parties who enacted the law called the "Civil Rights Bill?" Is it not going too far to reproach our people with disturbances which are not usual in this peaceful community, and which have been instigated by the men who control the United States Government?

We know as much as others of events transpiring in this and other Southern States, and it is susceptible of proof that negroes are almost too leniently treated when proved guilty of crime before white juries in our State courts—that they meet with heavier punishment from juries of their own race than from juries composed exclusively of white men. We appeal to men of Northern birth residing in Louisiana to say whether it is not true, if the negro population were left to the exclusive control of the white people of the South, they would rarely have to complain of injustice! Is it not the policy of the Republican party that so peaceful a state of things should be permitted to prevail?

The decision upon which we are commenting terms the United States Court into a mere police tribunal, because any negro or white man who may take it into his head that he will not receive fair treatment—that impartial justice will not be extended to him when accused of crime in our municipal and State tribunals, has it in his power under the ruling of Judge Duvall to carry his grievance, be it ever so trifling and over so baseless, before the Federal Court. This could not have been the intention of Congress. The Civil Rights bill was enacted to meet a peculiar and temporary condition of things which no longer exists. The State Constitutions and laws have been eliminated of all the features objectionable to the Northern people and conform in all respects to the requirements of Congress. They go even further than the demands of Congress. Witness the provisions of our Louisiana Constitution concerning the negro population which, as far as legislation can effect it, secures the social equality of the negroes with the white people. The Civil Rights bill was intended to uproot all the legislation of the Southern States which made distinction between white and black people, and to force these States to recognize by their laws the citizenship and equality of the blacks with them. But the Civil Rights bill did not undertake, as was asserted in court, to uproot "prejudices." We do not concede the propriety of the word in this connection, but use it to convey an meaning simply because our opponents use it. The authors of that bill were not foolish enough to suppose it could have such an effect. And as a matter of fact, it has had the contrary effect. These "prejudices"—instincts is a more appropriate word—are stronger and more firmly fixed to-day, because of the legislation than they were six years ago. Our Northern friends were misled here since the war have imbibed these "prejudices," and are more determined opponents of negro equality than native born Southerners. The people who live in the Northern States entertain stronger feelings of aversion to the negro race than the people of the South. The "Civil Rights Bill," construed by Judge Duvall, keeps up that very distinction which the Northern friends of the negro wish to disappear. The condition of things that law was intended to meet, as we have said, no longer exists. White and black are now upon the same footing before the law. The juries in our courts are largely made up of negroes.

The Civil Rights Bill is operating in all the States, both North and South, and it is said for applies to white as well as black men. Now, suppose some white man being in Boston who is a Democrat and determinedly accused of some crime or denied some of his civil rights opposed to all the Radical legislation concerning the South, and concerning paper money and the other measures of Congress, which are so odious to Democrats, were to go into the United States Court in Boston under the Civil Rights Bill and allege he could not obtain justice in the State tribunals of Massachusetts, would not the Federal Judge there promptly dismiss his petition? If he entertained what might be his consciousness! The Federal Courts might be crowded with such cases. We think the proposition is absurd. The legal profession in the North construe the Civil Rights Bill as being temporary in its operation and intended to secure to negroes in the Southern States their civil rights pending the establishment of the new State Constitutions recognizing the emancipation of the negro race.

LAW REPORTS—Messrs. Wolfley & Clarke, law stenographers and reporters, are now publishing in pamphlet form, as fast as pronounced, decisions of Judge Duvall of the United States Courts in Louisiana. The typography, which is that of L. R. Simmons & Co., does credit to those gentlemen—the print is large and clear and the paper fine. The volume when complete will be equal to the best law books published. The decisions are those of the session of the courts of 1868-69.

We are indebted to the politeness of the reporters above named for advance sheets. The decisions are those in the suit of Withers vs. the New Orleans, Jackson and Great Northern Railroad; in the matter of R. H. Barrow, Loeb, Simon & Co., W. D. Winter, bankrupts; Guest, Oakey Amen vs. Mansfield & Cannon; Tweed vs. Louisiana Mutual Insurance Company; United States vs. various packages of wine, Piaggio Brothers claimants; Wood vs. Smallwood.

GREAT EXCITEMENT AT BAY ST. LOUIS—The St. Louis *Gazette* says there was great excitement in town on Thursday of last week, caused by the visit of an alligator to the waters in front of the town. There was rare sport capturing the monster, which proved to be eight feet long.

We thank the Committee of Arrangements, through Mr. H. Cline, Sexton, for cards of invitation to the first grand piece to be given by Magnolia Conclave No. 12, I. O. O. F., for the benefit of the Relief Fund, on Sunday, May 23, 1869, at the Fair Grounds.

HOME CHARITIES.—We return our acknowledgments for cards of invitation received through Mr. Charles Braff, Treasurer, to the children's grand tableaux for the benefit of home charities, to take place at the Opera House on Monday, May 24.

The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, FRIDAY MORNING, MAY 21, 1869. 42d YEAR—Vol. XLII.—Whole—14,756.

The Municipal Contest in Jefferson City.

The Radical Organ of this city, in its issue of yesterday takes immense pains to justify the late proceedings of Governor Warmoth, General Mower, and the new municipal authorities of Jefferson, in usurping the government of that place. It must have forgotten the maxim that "he who excuses himself accuses himself." We think even its distant readers will smile at the transparent attempt to defend conduct which is indefensible. The "*Republican*," if it wished us to believe that Mr. Leche, who claims to be the Mayor, and his colleagues, who claim the other municipal offices, in taking possession of those offices before they had obtained an order of Court, acted legally in so doing, should have suppressed the facts it publishes concerning the suit now pending before Judge Pardee, in which the right to these offices is involved, because it appears that the contest is not yet determinated, and that Mr. Leche has taken the law in his own hands while appealing to that law for his rights. The *Republican* says that while the Metropolitan Police were taking possession of the public offices in Jefferson city on Wednesday last, the suit referred to was being tried in the Court House at Carrollton, in which M. Leche sought to oust Mr. Kreider from the Mayoralty, and no decision of it had been reached. Notwithstanding this state of affairs Mr. Leche proceeded to decide the case for himself by entering upon the functions of Mayor and assuming control of the municipal buildings.

Comment is needless. Radicals have the right to construe the law for themselves and to act as pleaseth them, but it strikes us that Judge Pardee owes it to the dignity of his Court to rebuke in a signal manner the conduct of these parties.

The Legal Aspect of the Jefferson City Affair.

We stated in our last issue that the Supreme Court had not pronounced a final decisive as to the constitutionality of the Metropolitan Police law. The question has not been fairly and fully argued before them. The case decided in which the Court passed upon certain grounds set forth by the petitioner in the case of Dimond vs. Cain as going to show unconstitutionality was a suit commenced by writ of *quo warranto* of one claimant against an other claimant for the office of Chief of Police. It is true the Court were not convinced and said that the Metropolitan Police act did not contravene the organic law. The decree reversed that of the lower court, and its effect was to leave the defendant in possession of the office. So far the Governor and the Metropolitan Police Board were victorious, but that decree did not affect the City of Jefferson, nor and Captain Cain any legal right to enforce the decree himself. He should have made demand upon the authorities of Jefferson in a proper manner, and if refused should have obtained a mandate of court and had himself placed in possession by the Sheriff.

Of course, we have no idea that the Metropolitan Police Act will not be sustained by the Supreme Court in every respect. But no man has a right to act upon such an assumption to be injury of others. We must proceed regularly. A suit still pends in the Supreme Court instituted by the authorities of Carrollton, in which the same constitutional question has been raised. The authorities of Jefferson City, no doubt, waited to learn the result of that case before vacating their offices. And even if the Metropolitan Police are now authorized, under no decision of the Supreme Court in the case of Diamond vs. Cain, to patrol the City of Jefferson and exercise police powers there, the law does not authorize them to take possession of the municipal buildings. They are mere trespassers.

THE FRENCH OPERA—A grand concert will be given to night at the theatre for the benefit of the Controller, Mr. Normandin. Choice selections from favorite operas will be executed by Madame Cambier, Madame Albaiza, Mlle Bourgeois, Mlle Hasselman, Mr. Picot, Mr. Engel, Mr. Nardin and other members of the Opera Troupe and orchestra.

CRESCENT MUTUAL INSURANCE COMPANY—In another column our commercial readers and those interested in this company, will find published its twentieth annual statement, the figures of which show that its affairs are as judiciously and skilfully managed as they have always been, and that it is in a highly prosperous condition. The Board of Trustees have resolved to pay six per cent interest in cash on all outstanding certificates of scrip, and also to pay fifty per cent in cash of the issue of 1859, on and after the second Monday in June next. They have also declared a scrip dividend of fifty per cent on the earned premiums entitled to participate for the year ending April 30, 1869.

Thomas A. Adams, Esq., is President of the Company; Samuel H. Kennedy, Vice President, and Henry V. Ogden, Secretary.

WHY WARMOTH DID NOT SUMMON THE LEGISLATURE—Some people say the reason why G. V. Wickliffe did not call an extra session of the Legislature for the purpose of bringing the conduct of Auditor Wickliffe to their notice, was that such action on his part might not have resulted as he wished. The Legislature might have asked sides with Wickliffe. Some other person than Wickliffe might have been impeached.

CITY INTELLIGENCE.

The Political Situation—Removal of Mr. Mingle, Superintendent of Fire Alarm Telegraph—Outrages in Jefferson City—Notwithstanding Capt. Cain, Superintendent of the Metropolitan Police, which has lately thrown the mantle of incredulity, if, indeed, in Jefferson City, save drive that the citizens of Jefferson, in their desire for a restoration of peace, should be treated with consideration, we hear of a continuation of outrages in that already terribly outraged community.

After the disturbances in the market house Wednesday, a variety of outrages were offered to innocent citizens. The Catholic Church was invaded in search of arms, and the Brother in charge ordered to open the door or it would be broken down. Leon Gouin, G. G. Blanchard, an old citizen of Jefferson, hearing that the Metropolitan Police were coming to his nephew's house, at eleven o'clock proceeded towards the jail to effect his release. While passing the market one of four policemen standing on a corner insulted him with the remark, "Jefferson City is not showing much fight to day." He replied, in effect, that they had no chance; when they seized him, dragged him to prison, and, said he to his friends, "I thought they would kill him and called him a d—d rebel" and other offensive epithets. Mr. Blanchard, with some friend went to the jail and succeeded with great difficulty in getting him released. There were other atrocities of similar character to-day.

Step by step, and elated with each success, these Metropolitans carry on their aggressions. Yesterday about 3 o'clock, advantage was taken of the temporary absence of Mr. F. E. Mingle, Superintendent of the Fire Alarm and Police Telegraph, probably while he was out to dinner, to remove his office, for there is no one in our acquaintance more strict and constant in attention to his duties, to inaugurate another violent proceeding. When Mr. Mingle returned he found his office occupied by a squad of the Metropolitan Police, sent there by Capt. Cain under the direction of the Metropolitan Board, and Mr. J. C. Weeks, whom Mr. Mingle has both preceded and succeeded in the office of Superintendent in possession of the wires, and all notwithstanding Mr. Mingle's assistant was in charge when the demonstration was made. What will be the result of this, we cannot foretell, but we know the Mayor in sympathy with Capt. Cain and Policeman Commissioner McDuff shortly after the seizure of the office was made their own orders. The Mayor properly contends that the office and material belong to the city and not to the State, and that the Metropolitans exercise no control over them, whatever their pretensions to such power are under the Metropolitan law.

The Firemen's Association had better look out next for seizures of the property of the Association.

In this connection we notice that Superintendent Mingle has issued the following:

FIRE ALARM AND POLICE TELEGRAPH,
Superintendent's Office, City Hall,
New Orleans, May 20th, 1869.

To the Employés of the Fire Alarm and Police Telegraph of the city of New Orleans, La.

You are expected to perform the various duties to which you have been assigned until further orders from me. Having been forcibly ejected from my office by an armed body of Metropolitan Police, and being consequently unable to discharge the duties which devolve upon me, I desire that you will bestow the same strict observance of the rules established by me for office duty, until the question as to the control of the Fire Alarm and Police Telegraph system of the city of New Orleans shall be decided.

JOHN K. MINGLE,
Superintendent Fire Alarm and Police Telegraph.

There will probably follow proceedings in the court. Capt. Cain proposed to Mr. Mingle not as Mr. Weeks' assistant. Tale Mr. Mingle with Mr. Weeks. Thus stands the matter.

Pass-à-Loutre.—Collector Casey is advised by letter from Custom House Inspector Smith, dredge boat Esmyens is at work, that the greatest depth he found from actual sounding was twenty feet feet, the shallowest sixteen feet. He states authoritatively that steamships drawing seventeen feet can pass in and out of Pass-à-Loutre at the present time. The channel is narrow but perfectly straight.

Caution to Boats—Collector Casey has issued orders to all steamboats and tow boats, that their licenses will be revoked if they run down or interfere with the signal lights or buoys placed at the mouth of the river, and the Collector wishes it understood that he will execute this order rigidly.

Seizure of Gin—Ninety-one five-gallon demijohns of Holland gin have been seized by the Custom House authorities in Warehouse No. 1, for alleged violation of section 1 of act of Congress of March 2, 1866 which prohibits the importation of certain quantities of liquors in packages containing less than thirty gallons.

The Election Returns—The votes were all counted at the Mayor's office yesterday. They do not change the result of the selection as announced by us yesterday, except that there was a tie in the First Ward between Messrs. J. M. Reid, citizens' candidate, and J. C. Wolters, independent Democratic candidate for Assistant Alderman, necessitating a new election, and that Mr. Lagan, citizens' candidate, instead of Mr. Mahony, Democratic candidate, is elected by seven majority Assistant Alderman in the Second Ward.

The Crevasse Above Grand Lake—The news from this crevasse is that the breach has increased to the width of four or five hundred feet, and that there is no hope of closing it. There are apprehensions too that the impending flood may wash away the rest of the upper works of the Grand Levee. Mr. Van Pelt, an engineer of the Board of Public Works, has gone up to take steps for preventing this, which Mr. Mitchell, Secretary of the Board, thinks can be effected with comparatively small expense.

The Board will send or have already sent up men and materials for the purpose.

Acquittal of Thomas P. May.—In the United States Circuit Court, yesterday, the jury in the case of T. P. May, charged with embezzlement of a large amount of Government funds, while Assistant Treasurer, returned a verdict of acquittal.

Mr. W. B. Whittaker, to whom Mr. May turned over certain funds, and who was in prosecuted Wednesday for contempt of Court, in refusing to answer in reference thereto after agreeing to abide the rulings of that Court as to whether he should answer or not—an answer being calculated to criminate himself—was yesterday released.

Fifth District Court—Judge Leonard—The jury, in the case of J. M. Cubben vs. Dr. S. Hastings, druggist of this city, suing for damages on account of the death of Mrs. Mc Cubben, caused, it is alleged, by a wrong prescription for an enema compounded at Hastings's drug store, were yesterday unable to agree and were discharged. The case was on new trial.

The Auditor After the Gambling Houses—Auditor Wickliffe yesterday issued the following order, which explains itself:

AUDITOR'S OFFICE,
New Orleans, May 19, 1869.

Mr. James Mushaway, Special Deputy of Auditor.

By virtue of the authority vested in me by 34 section of an act of the General Assembly entitled "An act to provide revenue for the support of the State Government of Louisiana, and the manner of collecting the same," approved March 7, 1869, you are hereby authorized and required to close up the gambling house kept at No. — corner St. Philip and Claiborne streets, city of New Orleans, and to do so shall constitute a misdemeanor and will further order from this office.

G. M. WICKLIFFE,
Auditor of Public Accounts.

The Bank of Louisiana.—Messrs J. Newman and J. Thornhill, of New Orleans, and Geo. L. Thompson, of New York, have instituted suit in the United States District Court, seeking to force this bank into bankruptcy.

Firemen's Festival—We are in receipt of tickets to the festival to be given by Mississippi Fire Company No. 2 and Pelican Hook and Ladder Company No. 4, at the Fair Grounds, the 30th and 31st inst., Sunday and Monday, for the benefit of their relief funds.

Succession of J. McClure—The succession of J. Eliot McClure has been placed in the Second District Robert Strong, a creditor of the deceased, petitions for letters of curatorship, which application is ordered to be advertised, and A. L. Tissot has been appointed attorney to represent the absent heirs. Whitaker & Rice for petitioner.

Decision Touching Licenses.—The following is the opinion of Judge Collens upon the late suits instituted by the city for licenses:

City vs. Van Norden & Co.—The city demands payment of the license tax due by defendants, and they offer to pay in warrants drawn upon the city treasury by virtue of law creating the Metropolitan Police. These warrants were tendered to the city officials charged with the collection of the tax, and they are now endorsed in course, but the city resists the offer.

There are taxes which even the Legislature cannot make payable otherwise than in money for instance the portion of the tax on real estate raised to extinguish the funded debt of the city. The acts authorizing the issuing of bonds for the consolidated and other debts, and requiring the levy of a special tax to pay these bonds, and the special collection and separate deposit of the tax in money, form and constitute a contract between the bond holders and the city, a contract which no subsequent legislation can be allowed to impair. Any attempt to do so would be a violation of the Constitution of the United States. But there has been no such special and previous appropriation preventing the diversion of the license tax to the payment of the police, or to any other municipal purpose the Legislature may designate. It follows that there is in the present case no constitutional impediment to the enforcement of the act, approved 27th February, 1869. I construe the act as applicable to taxes generally, but admit that there would be an exception in regard to such taxes as have been appropriated and set apart in pursuance of a contract. It is contended that a debt due by the city cannot be offered as a set off to a tax imposed for the support of the city government. The two debts are not of equal dignity, and the collection of taxes in money is necessary to the very existence of the municipal body politic. But this is a general principle which the Legislature may expressly modify, restrict or make exceptions to, as it has done in this instance. The reconventional demand for damages cannot be set up in this suit. There fore, the city of New Orleans is condemned—

1 To take the Metropolitan warrants filed

2 That the license be delivered to the defendants

3 That the reconventional demand be dismissed, the city to pay costs.

A motion for a new trial will be offered in the case by F. Michinard, Assistant City Attorney.

Abduction of a Child.—A Mrs. Marks having applied to the police to recover her child, which she supposed to be lost, it was ascertained that the child, a little girl, had been taken into the possession of its grand mother, Mrs. Patterson, with the approval of the proceedings of Mr. Beverly. The mother charged the grand mother with abducting the child, and upon the matter being brought to court friends interfered and the trouble was so far reconciled, at least for the present, as to allow the grand mother the guardianship of the girl.

Stabbing—Robt. Lewis has been arrested, charged with stabbing and dangerously wounding officer James Johnson. Lewis denies being concerned in the affair.

First District Court—Judge Abell.—John Linford, charged with embezzlement, taking $10 from Mary E. Kinney, and having cured him with giving her nothing back, we found not guilty. The complainant failed to identify Linford as the accused.

The case of Charles Navin and Robt Lofton, charged with false imprisonment, was continued indefinitely.

The bond against John Schnapper, charged with burglary (an old case), was cancelled.

The bond of Frank Stephenson, charged with assault, was declared forfeited.

Frank Stephenson was found not guilty of burglary.

Sarah Grey was sentenced to eight months hard labor for larceny.

Louisiana Items.

The St. Mary *Planters Banner* says.

THE WEATHER—*Parish of St. Mary, May 19th, 1869.*—For the past week the weather has been very cool for the season. The winds, even from the west and other quarters, have felt the influence of the rain. The roads have dried rapidly, and dust and clods are the order of the day. Everybody feels more or less blue. Farmers have to keep their children and fever in the fall and winter have had relapses, and an occasional case of pneumonia has occurred. Southern breezes and genial showers would now command a premium in this market.

WHITE LABOR IN THE FIELD.—By an estimate we have lately made, assisted by the Patent brothers, by the Lake Prairie, and Petite Telegraph, probably while he was out of the Lake Prairie, Petite Telegraph, for there is no one in our acquaintance more strict and constant in attention to his duties, to inaugurate another violent proceeding. When Mr. Mingle returned he found his office occupied by a squad of the Metropolitan Police, sent there by Capt. Cain under the direction of the Metropolitan Board, and Mr. J. C. Weeks, whom Mr. Mingle has both preceded and succeeded in the office of Superintendent in possession of the wires, and all notwithstanding Mr. Mingle's assistant was in charge when the demonstration was made. What will be the result of this, we cannot foretell, but we know the Mayor in sympathy with Capt. Cain and Policeman Commissioner McDuff shortly after the seizure of the office was made their own orders. The Mayor properly contends that the office and material belong to the city and not to the State, and that the Metropolitans exercise no control over them, whatever their pretensions to such power are under the Metropolitan law.

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BY TELEGRAPH.

(To the New Orleans Bee.)

FROM WASHINGTON.

Weekly Sales of $2,000,000 Gold by the Treasury.

No Prospect of Elections in Texas.

Republican Government Organized by the Cubans.

Commercial Convention at Memphis.

FROM EUROPE.

Miscellaneous Intelligence.

WASHINGTON ITEMS.

Washington, May 20.—Boutwell directs the Assistant Treasurer at New York to sell two millions of gold weekly, instead of one million, until further orders.

La Riontos, for some time past acting Consul at Havana, arrived here to-day and had an interview with the President. He represents the course of the Cuban Junta by far more surprising.

Internal Revenue receipts to-day $656,000.

The President had a long interview with Boutwell at the Treasury Department to-day.

Col. Dewitt Clinton leaves for Atlanta as Judge Advocate for the Department of the South.

Secretary Boutwell directs Collectors of Customs to discontinue the collection of discriminating tonnage duties on Spanish vessels from Cuba and Porto Rico.

Receipts from customs from the 10th to the 20th instant, three and a half millions.

Major E. Kellogg, the American painter, will deliver the opening address of the Corcoran Art Building.

No elections will be held in Texas until November.

Cuban correspondence by steamer Columbia, dated Havana, May 14th, contains the announcement that a Republican Government has been fully organized by the insurgents in Cuba. Aldama President, Aquilera, Aquilard, Vice President, and Quesada, Commander in Chief of all the forces. President Cespedes instructed Aldama to publish, also, his farewell address in resigning his provisional authority.

Washington, May 20.—Major Moore, of the San Antonio *Express*, interviewed Grant to day He assured the Major of his determination fully to expect a Republican victory if the election should be held immediately, and urged delay Grant replied that there would be no election in Texas before November in any event, he also stated that Gen. Reynolds had not recommended an early day for the election.

MISCELLANEOUS INTELLIGENCE.

Louisville, May 20.—The following are the delegates from this city to the New Orleans Commercial Convention: Messrs Verhoef, Bradley, Fairfax, Gorman, Taggart and Wright.

New York, May 20.—General Assemblies of the new and old school of Presbyterians met the morning in separate Conventions. Proceedings unimportant.

Charleston, May 20.—The Radical City Council recently installed by a decision of the courts and holding nightly sessions, the proceedings of which are of the most illegal and disgraceful character. The majority of the body by ordinance to *strip* Pillsbury, the new Radical Mayor, of his power and the right to appoint in order that they may exercise unchecked control of city offices. The meeting last night closed in a row, in the course of which the Aldermen called the Constitution of the United States. But there has been no such special and previous appropriation preventing the diversion of the license tax to the payment of the police or to any other municipal purpose the Legislature may designate. It follows that there is in the present case no constitutional impediment to the enforcement of the act, approved 27th February, 1869. I construe the act as applicable to taxes generally, but admit that there would be an exception in regard to such taxes as have been appropriated and set apart in pursuance of a contract. It is contended that a debt due by the city cannot be offered as a set off to a tax imposed for the support of the city government. The two debts are not of equal dignity, and the collection of taxes in money is necessary to the very existence of the municipal body politic. But this is a general principle which the Legislature may expressly modify, restrict or make exceptions to, as it has done in this instance. The reconventional demand for damages cannot be set up in this suit. Therefore, the city of New Orleans is condemned—

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Stabbing—Robt. Lewis has been arrested, charged with stabbing and dangerously wounding officer James Johnson. Lewis denies being concerned in the affair.

First District Court—Judge Abell.—John Linford, charged with embezzlement, taking $10 from Mary E. Kinney, and having cured him with giving her nothing back, we found not guilty. The complainant failed to identify Linford as the accused.

The case of Charles Navin and Robt Lofton, charged with false imprisonment, was continued indefinitely.

The bond against John Schnapper, charged with burglary (an old case), was cancelled.

The bond of Frank Stephenson, charged with assault, was declared forfeited.

Frank Stephenson was found not guilty of burglary.

Sarah Grey was sentenced to eight months hard labor for larceny.

Louisiana Items.

The St. Mary *Planters Banner* says.

THE WEATHER—*Parish of St. Mary, May 19th, 1869.*—For the past week the weather has been very cool for the season. The winds, even from the west and other quarters, have felt the influence of the rain. The roads have dried rapidly, and dust and clods are the order of the day. Everybody feels more or less blue. Farmers have to keep their children and fever in the fall and winter have had relapses, and an occasional case of pneumonia has occurred. Southern breezes and genial showers would now command a premium in this market.

WHITE LABOR IN THE FIELD.—By an estimate we have lately made, assisted by the Patent brothers, by the Lake Prairie, and Petite Telegraph, probably while he was out of the Lake Prairie, Petite Telegraph, for there is no one in our acquaintance more strict and constant in attention to his duties, to inaugurate another violent proceeding. When Mr. Mingle returned he found his office occupied by a squad of the Metropolitan Police, sent there by Capt. Cain under the direction of the Metropolitan Board, and Mr. J. C. Weeks, whom Mr. Mingle has both preceded and succeeded in the office of Superintendent in possession of the wires, and all notwithstanding Mr. Mingle's assistant was in charge when the demonstration was made. What will be the result of this, we cannot foretell, but we know the Mayor in sympathy with Capt. Cain and Policeman Commissioner McDuff shortly after the seizure of the office was made their own orders. The Mayor properly contends that the office and material belong to the city and not to the State, and that the Metropolitans exercise no control over them, whatever their pretensions to such power are under the Metropolitan law.

The Firemen's Association had better look out next for seizures of the property of the Association.

In this connection we notice that Superintendent Mingle has issued the following:

FIRE ALARM AND POLICE TELEGRAPH,
Superintendent's Office, City Hall,
New Orleans, May 20th, 1869.

To the Employés of the Fire Alarm and Police Telegraph of the city of New Orleans, La.

You are expected to perform the various duties to which you have been assigned until further orders from me. Having been forcibly ejected from my office by an armed body of Metropolitan Police, and being consequently unable to discharge the duties which devolve upon me, I desire that you will bestow the same strict observance of the rules established by me for office duty, until the question as to the control of the Fire Alarm and Police Telegraph system of the city of New Orleans shall be decided.

JOHN K. MINGLE,
Superintendent Fire Alarm and Police Telegraph.

There will probably follow proceedings in the court. Capt. Cain proposed to Mr. Mingle not as Mr. Weeks' assistant. Tale Mr. Mingle with Mr. Weeks. Thus stands the matter.

Pass-à-Loutre.—Collector Casey is advised by letter from Custom House Inspector Smith, dredge boat Esmyens is at work, that the greatest depth he found from actual sounding was twenty feet feet, the shallowest sixteen feet. He states authoritatively that steamships drawing seventeen feet can pass in and out of Pass-à-Loutre at the present time. The channel is narrow but perfectly straight.

Caution to Boats—Collector Casey has issued orders to all steamboats and tow boats, that their licenses will be revoked if they run down or interfere with the signal lights or buoys placed at the mouth of the river, and the Collector wishes it understood that he will execute this order rigidly.

Seizure of Gin—Ninety-one five-gallon demijohns of Holland gin have been seized by the Custom House authorities in Warehouse No. 1, for alleged violation of section 1 of act of Congress of March 2, 1866 which prohibits the importation of certain quantities of liquors in packages containing less than thirty gallons.

RIVER NEWS.

Vicksburg, May 20.—Passed up—Mohawk and barges at 11 A. M., Parvenu at 2 P. M and Louisville at 5 P. Passed down—Dick Fulton and barges at 11 P. M. River falling slowly.

Louisville, May 20.—River falling slowly: 7 feet 9 inches of water in the canal by the mark.

St. Louis, May 20.—River falling slowly.

Memphis, May 20.—Weather clear and pleasant. River falling.
Passed up—Bob Roy.

FROM SOUTHWEST PASS.

Southwest Pass, May 20, 6 P. M.—Barometer 29.85. Wind East and fresh. No arrivals. Sailed—Steamships Governor Marvin and Agnes.

FROM PASS-A-L'OUTRE.

Pass à l'Outre, May 20, 3.30 P. M.—West to sea—Brig Minnie and Vanguard, and brig Hope. Arrived—Schooner Constance, from Rustan, with fruit. Wind East and fresh. Tide falling.

(Footpoint Steamship.)

Southwest Pass, May 20—Noon.—Barometer 29.90. Wind northeast and fresh. No arrivals. Sailed: Steamships Mary M. Roberts, Trade Wind and Allen.

Washington, May 20.—The President has appointed J. E. Bryan, Postmaster at Augusta, Ga., vice Foster Blodgett, suspended, and Rev Mr Turner, colored, Postmaster at Mason, Ga., vice Washington, suspended.

St. Louis, May 20.—Delegations from the Merchants' Exchange and Board of Trade to the New Orleans Commercial Convention leave here to-morrow.

Cincinnati, May 20.—Dr N Scanlon, of Boston, President of the Wills Valley Railroad, from Chattanooga to Meridian, Miss., leaves here to-day with an important proposition to Southern Railroads.

Liverpool, May 20—Noon.—Cotton market quiet. Uplands 11½d. Orleans 11¾d. Estimated sales 8000 bales. Tallow 51.

Liverpool, May 20—Afternoon.—Cotton firmer, not higher. Sales to-day estimated at 10,000 bales. Breadstuffs unchanged. Lard quiet and steady. Pork quiet. Bacon 50s.

Dublin, May 20—A riot occurred to-day in Tralee. The police interfered, when both parties attacked the police, who fired on the people. Many hurt. Three policemen wounded, not fatally.

Washington, May 20—Bingham will accompany the Bar Judiciary Committee to Mobile, to take evidence in the Bastard case.

New York, May 20—Stocks strong and unsettled. Money steady at 7 per cent. Sterling 9½. Gold 134. Five-twenties of '62 112¾; North Carolina's 50¾; Virginia's at compromise, 68; Louisiana's 70¾; new 65¾; Louisiana's 69. Levees 58. Four dull and drooping. Wheat quiet and favors buyers Corn a shade easier. Pork quiet and steady. Lard quiet. Cotton steady; middling uplands 29¾c. Turpentine firm, 48c. Rosin quiet. Freights firmer.

Washington, May 20—The general impression is that Rotley's instructions are very pacific, but not committal.

American Diplomacy.

AN ENGLISH VIEW OF THE ST. THOMAS AFFAIR.

[From the London News, April 24.]

The delay which has attended the attempt to pass through the United States Senate a ratification of Mr. Seward's purchase of the Island of St. Thomas from Denmark, is certainly embarrassing to the latter power which its dependency, if it be not sold, will whether a contemporary is correct in attributing it to the "anxiety of the Senate towards the ex President and Mr Seward." It is hardly the fault of the American Senate if Danish Ministers and the Commission of the United States carelessly, and amiss to a Secretary of State powers which he does not possess. Darling the last year it was deemed necessary that the Washington administration should be permitted certain quasi legislative functions under what was called the "war power;" but the complaint of the Congress is that Mr Seward contracted in those days certain habits not quite consistent with the normal relations of the Government. When Thomas Jefferson purchased of France the vast territory of Louisiana at a trifling cost, he acknowledged that it was a piece of "land" he knew not exactly how to dispose of, but appealed for the approval and indemnity which were cordially accorded on the ground that it was a bargain secured which all held to be a great advantage. When Mr. Seward purchased from Russia the territory of Alaska, he had the same to be sure extraordinary discount, and the advantage to have made full, and nothing but a friendly disposition towards Russia existed to overcome the reluctance of the Senate to confirming it. It is probable that similar considerations may avail to secure the ratification of the more valuable West India station, but if it should prove otherwise, it will be at least some compensation for the disagreeable feature of the case that the world will be reminded that America is a Republican Government, and that no administration has authority to conclude treaties with other powers without consultation with the Legislature.

Recent events have shown that Denmark is not the only debtor to which requires a better understanding of the law. For example, here in England, when Mr. Reverdy Johnson was sent as envoy for the settlement of the Alabama claims a leading conservative organ lately, day after day, that his mission was of itself fatal, and that the Senate had nothing to say about it. If an English newspaper could