The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, FRIDAY MORNING, NOVEMBER 25, 1870. 44th YEAR—Vol. XLIV.—Whole—15,224.

...LEANS DAILY BEE.

...is a LIMIT. PUBLISHING, No. 73 Chartres street.

TERMS OF THE BEE.

...scription—Daily, per annum, in ...; six months, $3; quarterly, $1. ...aper—single copies, 10 cents. ...Weekly is published every Tuesday ...day). Subscription, $5 per annum, ...s in advance.

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Semi-Weekly Edition.

...PER YEAR.....$5.

NEW ORLEANS!

...AY MORNING, NOV. 25, 1870.

Amusements This Evening.

...IC OF MUSIC—"Oara."

...ES THEATRE—"The Rosee."

...EN THEATRE—Benefit of Mr. Bar ...Julius Cæsar."

Auction Sales This Day.

...Marks & Co., at 10 o'clock, A. M., at ...Chartres street—Furnishing Goods, ...and Fancy Goods.

THE SPECIAL SCHOOL TAX.

...ctors of New Orleans have one ...portunity of interfering with, if ...ting, the plans of the Radicals ...d to the public schools of the city. ...ducation Law provides (section 27) ...ch ward district shall hold regular ...s annually, and that the electors ...district, when so assembled, shall ...power to levy a tax not exceeding ...ent on the dollar for any one year ...axable property in the district, for ...l purposes, such as buying, repair... furnishing school houses, pay of ...s, purchase of libraries, and the ...l schools generally. The time ...for these annual meetings is the first ...day in May. All the voters of the ...have the right to attend, and is ...that the question of the tax is ...mitted. They may impose the tax ...may decide not to impose it. If ...to impose upon the latter course, ...Conway will have so much less ...ol-house and so much less influ... over voters. We presume there can be ...question among tax-payers touch... matters, except that they will ...refuse to accommodate Mr. Con... with the means for doing any more ...f than his constitutional powers ...him to effect. But, unfortunately, ...law does not confine this election to ...who are to pay the money. Property ...and non-property holders are ...on a footing of equality by the law ...sections, and unless the former ...to work now and prepare to vote ...tax, they may make up their ...that Conway will have negroes ...at these meetings in May next to ...him assert that the power to ...additional tax for school pur... been authorized by the elec... districts as the law requires. ...ectors will understand that this ...tax when voted for will be in ad... the general State school tax, and ...in the hands of this man, Con... times as large a sum as the gen... of course increasing by so much ...and his influence.

...e be a difference of opinion on ...t among the white voters of ...ana? Certainly this class of the ...d desire that the negroes should ...means of education, and are per... willing to be taxed for that pur... provided that separate ...ol for white and black children shall ...ished. But they are not willing ...ved for the support of public ...and to provide such mendicant ...as Parson Conway with the ...of corrupting our people with his ...ditions, while they are at the same ...pelled by their conscientious ...s to decline receiving any bene... the institutions devoted to an ...wicked.

NOT A TECHNICAL JUDGE.]

...ll be remembered that a few weeks ...Quinn was indicted in the Fed... Court in New York, before Judges ...ell and Blatchford, on the charge ...g voted more than once at the ...ction in that State, in violation of ...w of Congress known as the En... Act. Quinn's counsel, two ...t lawyers, Messrs. Geo. Tickner ...and W. Stoughton, filed on his ...a demurrer to the indictment, ...answering to the charge at ...The Judges overruled the demur... and then held that Quinn had con... the fault charged against him; ...upon the ground that in demurring ...d admitted the facts alleged in the ...ment. And they sentenced him to ...ears' imprisonment without a trial.

...case has created considerable ex... in New York, and the conduct of ...s Woodruff and Blatchford has been ...ly criticised. Strange to say, there ...appeal to the Supreme Court of the ...ited States, the Judges having con...

...correspondent sends to the New York ...e the following communication by ...of commentary upon this unprece... case:

A Mirror for Judge Woodruff.

...correspondent sends us the following: ...It suggests a contrast as honor... to Judge Nelson as it is discreditable ...new Federal Circuit Judge:

...Editor of the World—

...In the United States Court, Brook... Judge Nelson, of the United States Su... Court, presiding, in February, 1866, ...ercise cause of Government against ...Tappin, and Leyan was called for ...After a demurrer, argued by Hon. ...William M. Evarts and the late ...Brady—had been overruled, Mr. ...District Attorney, moved for im... sentence, quoting two obscure ...precedents. Judge Nelson replied, ...sir, partially, but you ask me to sen... a man on a charge of which he has ...been convicted. Admitting guilt, for argument's ...a shadow of a technicality; and, ...not a technicality, but a ...condemned before me without a ...for his evidence in defense to be ...

...July, 1865, a sol. gros. was entered ...case. Mr. Tracey admitting in court ...to furnish evidence for con... What redress would the defend... have had if they had been sentenced ...ming to demur, and had been im... D.?

...rely the same point as to the effect ...murrer was made in Quinn's case ...Judge Woodruff; but instead of ...and almost instantly overrul... like Judge Nelson, he used it as an ...for depriving Quinn of a trial. He ...a hasty sentence on the untried ...in the interest of justice, but of ...party tickets in the then pend... Judge Woodruff is "a techni... where partisan interests com... a prisoner and his right of trial ...There is not a respectable law... not an intelligent man in this commu... who believes that Judge Woodruff ...have deprived a prisoner of that ...s birthright, a jury trial, if the ...had not been so near that the ...would be unable to pass sen... in time to aid the Republican party. ...ot of being blind to everything but ...justice, and the rights of the pris... a judge ought to be had his eye ...steadily on the election of the ...Tuesday, and postponed the trial solely ...reference to that. He was sent on ...ng correspondence to the effect, ...fore did what that upright and ...Judge Nelson scorned to do—de... a prisoner of a jury trial on a mere ...arity. He took first care of the negro ...counsel that such a course was ...

...Judge Nelson's warmth was pro... at the suggestion that he was capa... of sentencing a prisoner without a ...so different in justice on the bench ...unscrupulous political partizanship.

...

Arrest that terrible Catarrh, and ...aved a consumptive's grave by using ...sage's Catarrh Remedy. The proprie... will pay $500 reward for a case he can... Sold by druggists, or send stamp ...to Dr. R. V. Pierce, Buffalo, N. Y., ...receive it by mail. Pamphlet sent ...

w fr su 1wsw.

...$13 Lever Watch, No. 13,580, pur... from Chas. P. Norton & Co., 88 ...au street, New York, January 8th, has ...carried by me ever 11 months, with ...al variation in time of only 38 ...without the slightest regulating. ...represents the same brilliancy of color ...

JAMES R. WILSON,
Sec. American S. M. Co. N. Y.
New York, July 30th 1870.

...I have for the past eight months con... carried and one of the $13 Oriide Gold ...er Watches, manufactured by Chas. P. ...ton & Co., 88 Wall...au street, New York, ...found the total variation in its time ...one-half minute, (30 seconds) and it re... the same appearance of gold as when ...chased. Several of my men have them ...th the same results. I cheerfully re... mend them for correctness and wear.

RICHARD P. MEYARS,
Conductor Erie Railroad Co.

...CONSULAR FELICITY.—Nothing tends ...re to consubial happiness than the ...ion of healthy infants and children. Mrs. ...Whitcomb's Syrup is the great children's ...soothing remedy. ...

CITY INTELLIGENCE.

Fourth District Court—Important to Corporations.—Judge Paul E. Théard, of the Fourth District Court, has delivered an oral opinion in a case which is of importance to corporations. It appears that one of the clerks of the Sun Mutual Insurance Office, Mr. George W. Hunter, brought suit against the Company for $2000 00, amount alleged by him to be due for the unexpired term of the year 1870, he having been discharged without cause on the 1st of April of that year for the whole term of which he alleged he had been engaged.

The company resisted the claim upon the ground that in accordance with one of the by-laws, the tenure of all officers of their corporation was during the pleasure of a majority of the Board of Directors.

Judge Théard decided that this by-law was not binding on the clerks, unless it could be shown that it had been communicated to them at the time of their engagement. The evidence satisfied the court that the uniform custom of corporations was to promulgate their by-laws at the election of president, secretary, clerks, etc. That when the clerks are informed at the annual meeting that they are continued in office, the meaning generally given to this announcement by all corporations is that the time for which their officers and clerks are employed is for one year. That although the Sun office had adopted a rule that they might discharge an employé at any time, the evidence showed that they had departed from that rule in making their appointments yearly, and in not communicating the rule to their clerks. All the clerks, said the Judge, so testified.

In concluding, Judge Théard said that the construction put upon this by-law by other corporations which had adopted it is that this discretion is to be exercised once a year only. For these reasons it appearing that the plaintiff was discharged solely because the company desired to dispose with his desk, and not for any cause of his own, the court gave judgment for the full amount claimed, viz: $2083 33. There was no question as to the amount, but simply as to the liability of the corporation.

Coal Oil Explosion.—While a Barbarin gas apparatus was being put up at Col. Dumontell's, corner of Canal and Bourbon streets, yesterday, two cans of coal oil were accidentally set on fire and exploded, causing an alarm of fire and much confusion. The flames were extinguished without any damage more severe than a bad burn on the arm of Col. Dumontell's cook. The affair caused a report that the Barbarin gas machine had exploded, but the above are the facts.

More Garroting.—Two men attempted to rob Joseph Herz, a discharged soldier, of six hundred dollars, on Delta street, between Girod and Lafayette, at about eleven o'clock Wednesday night, but were frightened off by the appearance of two policemen and made their escape.

Burglary.—An unoccupied house, No. 5 Prytania street, was broken into Wednesday night, and a clock stolen.

Going to Leave.—Paul Moss, just from the Workhouse, where he was sent for indulging in confidence games, was brought up before Recorder Stacy yesterday as a suspicious character and was let off on the understanding that he would leave the city within twenty-four hours.

The Baton Rouge Prisoners—More of them discharged.—No witnesses were examined yesterday, on account of its being set apart for thanksgiving, but by agreement of counsel a meeting was held in Commissioner Grant's office to examine the testimony, with a view to the discharge of others of the accused. The examination resulted in the unconditional discharge of the following persons:

James Cooper, E. J. Bellows, Ed Consinard, Jr., Henry Dalsheimer, John Gass, Oscar Arbourn, W. C. Mcffitt, Benjamin Wilson, Chas. Jones, J. F. Lobdell, Theophilus Williams, Henry Chesmer, Tony Rase, Harvey Skolfield, Wm. Scott, Jr., and Sam'l Skolfield, making, with those that were discharged on Wednesday night, forty-one in all.

The testimony for the defence will be continued to-day at 10 o'clock.

In Limbo Again.—Emile Lafoux, alias Davis, who was arrested at Baton Rouge by Capt. Meyers as a rioter, and who was released yesterday, was arrested last night on the long civil snake. He was recognized by the police when he first landed, though he sported the new name of Davis. He is a well known thief.

Anniversary.—Louisiana Hose Company will celebrate their 38th anniversary of the christening of their magnificent steamer "Annie Howard" to-night, at their hall, corner of Carondelet and Perdido streets. We are indebted to the committee for a polite invitation to be present.

Reckless Shooting.—A man named Evans was arrested in Rat St. Charles Theatre last night for disturbing the peace, and while being taken to the station broke away from Officer Tourne, who had him in charge, and run off. Policeman Officer Tourne fired after him at the risk of shooting him or any one else who might happen to be in his way, a rather reckless, not to say dangerous assumption of power. The report of the pistol brought other officers and the man was arrested and locked up on the charge of disturbing the peace.

JOHN QUINCY ADAMS ON THE REPUBLICAN PARTY.

As Spiritual Sketch.

Extract from a speech delivered by John Quincy Adams, at Franklin Hall, Boston, Oct. 27, 1856:]

Look again at Missouri. There is an honest division of opinion among the ablest and eminent leaders of the Republican party on a question of principle. Mr. Gratz Brown and Senator Schurz maintain that it is a parody on equal rights and justice to every black man in the State, and to refuse votes at the same time to fifty thousand white men. And so I do also; and so thinks the honest half of the Republican party. And yet President Grant greets this debate how? By argument? He cannot speak. By ideas? He has none. By persuasion? 'Tis of such kind as he knows, and the only kind in his power—proscription, force. "War power" He turns out of office all who differ from him. I tell you, my friends, the fault is in the whole grand systematic, combined and consolidated paraphernalia of autocracy, denominated the Republican party. From its Pharaisaic thanking of God that it is so much more moral than other parties are, through its hypocritical humbling which professes for the Declaration of Independence, with its recognition of "Governments derive their just power from the consent of the governed," in defense of "reconstruction" and the perverted flagrant fraud which protests that it protects all equally by a tariff, which allows the employer to grind down the prices, while the employed must starve on Chinese wages, from top to bottom; from end to end—the fault is the rotten and corrupt oligarchy of money. And now, fellow citizens, you may fairly ask us what we have to propose if you give the power to the Democracy and I will tell you it is easy to tell, for we have no new thing to discover. The principles of Democracy are as old as the government itself, and they are as plain as the sun at noon-day. The doctrine is the same that it was seventy years ago, and the same that it was at the time of Lincoln's election, Democracy, in a word, begins at the other end altogether. It takes the individual man as the starting point, and says that he is the important matter, and your government is only an incident and creature of his convenience. It laughs at your preposterous idea that government is higher and better than the people. It is aristocracy which assumes a superior merit to direct and advise its subjects. It is monarchy by grace of God which pretends to the power of cosseting and dandling its children. It is imperialism which conquers and administers Alsace and subject provinces. Democracy leaves each man free to seek his own happiness, provided he does not injure his neighbor. Why, my friends, even the language of the Radical newspaper and stump swells of the obsequious spirit which looks to an aristocracy of speculators and money changers and shop-keepers. What is this their favorite charge against all who differ with them? "They are disloyal." What is that? Well, I will tell you. Loyalty is a word derived from old feudal times, and expresses the relation of the slave to his master; the subjection of the serf to his lord; the regard of the vassal for his liege lord. The duty of the subject is loyal. Loyalty is no new thing. It was rampant here before the battle of Bunker Hill. Many, no doubt, the rich and high were most "loyal." The "loyalists," however, disliked the climate after the "Declaration." They are remembered as Tories now. Generals Warren and Putnam were "rebels" about the same time. Let the negro, if he likes, be loyal to his carpet-bagger, and the office-holder to his patron and the fashionable politician to his "government," but as for us, we will be content with the old-fashioned ways of our fathers, and swear by them to the best of our ability to preserve, protect and defend the Constitution of the United States."

MR. MOTLEY RECALLED.—It is understood that on Friday last the President directed Secretary Fish to send a dispatch, by cable, peremptorily recalling Minister Motley. The late Minister was instructed to turn over the papers and affairs of the Legation to Benjamin Moran, Secretary of Legation, who has been appointed Charge d'Affaires. Mr. Moran will act in this capacity until a minister is appointed. The reasons for the recall of Minister Motley before the appointment of his successor is that the President is anxious to have certain matters pending between the two countries settled at an early day. Among these is the fishery question, to which allusion was made in the Queen's speech some time ago. The President was not willing that Mr. Motley should undertake this business; first, because he could not remain long enough to complete it, and second, because his position was such that he could not be supposed to have the proper influence with the English Government. It was expected that after the President's disapproval of the conduct of Mr. Motley he would resign; failing to do this the President had no other recourse but to call him.—*Washington Correspondence New York Herald, November 15.*

Bismarck has made a rather cruel joke at the cost of the illustrious prisoner of Prussia. "Napoleon is a most polite gentleman," he is supposed to have said; "he was anxious to return the King's visit of 1867."

BY TELEGRAPH.

To the New Orleans Bee.

THE FRANCO-PRUSSIAN WAR.

Continued Bombardment of Thionville.

Heavy Snow Storms and Rain Throughout France.

Republican Insurrection Expected at Madrid.

Conciliatory Reply of Gortschakoff.

HOME NEWS.

Speech of General B. F. Butler.

Miscellaneous.

FOREIGN INTELLIGENCE.

Versailles, Nov. 24.—No news of importance from Paris. The Duke of Mecklenberg is rapidly advancing.

London, Nov. 24.—Earl Russell writes to the *Times*, stating that if the Czar proposes to set aside the treaty of Paris by force let us meet him with force—the sooner the better.

The *Post*, referring to Gortschakoff's answer to Granville's note expected to-day, says diplomacy is wholly at fault in conjecturing its nature.

London, Nov. 24.—A republican insurrection is momentarily expected at Madrid. The Capt. General of Argon telegraphs Prim that the revolution will succeed if reinforcements are not sent him.

A public meeting is proposed here to express regret at the abandonment by the Germans of a defensive for an aggressive policy in regard to France.

The weather all over France has been stormy for several days, with heavy falls of snow and rain.

The bombardment of Thionville has been continued with unremitting activity since Tuesday.

A Prussian frigate is cruising among the Azores.

St. Petersburg, Nov. 24.—Gortschakoff's reply to the British and Austrian Governments is very conciliatory. It explained the terrible meaning of previous declarations, and affirms that Russia carry out generally, and in the East especially, but it would be impossible to maintain peace if counsel a meeting was held in Commissioner Grant's office to examine the testimony, with a view to the discharge of others of the accused. The examination resulted in the unconditional discharge of the following persons:

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Staunton, Va.—Nov. 24.—A Convention of the Sunday Schools of Baltimore Conference, Methodist Church of the South, assembled here to-day. The boundaries embrace Maryland, District of Columbia and the Valley of Virginia. It will remain in session until Sunday.

New York, Nov. 24.—D. R. Martin, President of the Ocean National Bank, has resigned, and C. S. Stevenson been elected to fill the place. J. S. Hartshorn was elected cashier.

The U. S. S. Shiloh arrived at Havana from Key West on the 16th. U. S. frigate Tuscarora was expected there on the 20th, to go into the dock for repairs.

Indianapolis, Nov. 24.—The permanent organization of the Emigration Convention which met here yesterday was perfected to-day by electing Governor Baker, of Indiana, President, and Col. Conlonis, of New York and Mr. Greenbaum, of Illinois, Secretaries, with one Vice President from each State and territory.

FOREIGN MARKETS.

London, Nov. 24—Evening.—Consols 93. Bonds 88¼. Tallow 43s 8d@48s 6d.

Liverpool, Nov. 24—Evening.—Cotton market firm; uplands 9¼d: Orleans 9¾d. Sales to-day 15,000 bales, 3000 of which were for speculation and export. Lard, winter-Wheat 10s 7d@10s 8d. Pork 101s. Turpentine 30s 9d.

RIVER NEWS.

Vicksburg, Nov. 24.—Passed up—Shannon, at 5 A. M.; Grand Era, at 6 A. M.; H. M. Shrive, at 1 P. M. Down—Rub, at 3 A. M. River falling. Weather cloudy and cold.

FROM SOUTHWEST PASS.

Southwest Pass, Nov. 24—6 P. M.—Barometer 30.50. Wind N. N. W., fresh.

Arrived—Ship Wellington, H. Hewes, at 1:15 P. M., Bourne, master, from Indianola via Galveston, to C. A. Whitney & Co.

Sailed—Ships Bella, Jura and Duke of Wellington; barks Palmas and Les Bons Fils.

[Previous Dispatches.]

Havana, Nov. 24.—The Spanish war vessel Victoria, Tunas, formerly the Lillian, is ashore at Maisi. She will prove a total loss.

The election of the Duke of Aosta to the Spanish throne was celebrated here by pardoning twelve men who were under sentence of death. The city was illuminated.

MISCELLANEOUS INTELLIGENCE.

St. Louis, Nov. 24.—It is reported that Governor McClurg has called an extra session of the Legislature, and that Senator Drake will take Carlin's seat to the vacant Court of Claims Judgeship.

Philadelphia, Nov. 24.—The new museum theatre and menagerie took fire shortly after the performance last night. The audience were panic stricken, but none of them were injured. The fire was extinguished; damage slight.

A colored fire company on the way to review to-day was assalted. They were also assailed when returning. One white man was seriously hurt and a negro was fatally wounded.

Boston, Nov. 24.—Gen. Butler, in his recent speech, said: I cannot but recall the truth that came to me during the days of the best and bravest among them—who fought against the Government in a vain attempt to rend asunder the glorious memory of its history, are impatiently longing to fight once more under the starry folds of the old flag. Give me the privilege to the brave sons of the South to defend their country again in a foreign war, and especially one with Great Britain, and they will be by us any more than by us—and it would bring us all together again, uniting us with one flag, one country, one destiny. In so much is the reunion the hope of the patriot that one feels almost a doubt whether to achieve it would not be worth all the loss of blood and treasure in such a war.

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[Previous Dispatches.]

Havana, Nov. 24.—Saintes were fired in honor of Aosta's election. Captain General Rodas ordered 101 and three thousand negroes. The city is comparatively healthy.

London, Nov. 24.—A serious engagement is reported as having occurred at Heriecourt, on the Oise. No particulars.

Gen. Trochu, in a recent proclamation, says: "We have made efforts and honored our misfortunes in the eyes of the whole world. Europe is amazed at the unexpected spectacle of a close union existing between rich and poor. The enemy are suffering far more than we suspect. They begin to yield us their implacable resistance. Bismarck's mask is off; the fall we shall have bequeathed Prussia a scheme which cannot be carried into execution. Our inheritance of exertion and hatred under which she in turn will fall."

Florence, Nov. 24. — The Pope has issued an encyclical letter and bull, concerning the sequestration of the church by the Italians. He declares that it is impossible for him to make any surrender of the property belonging not to him but to God, and only placed in his hands as trustee, and that if taken from him it must be by force. He cannot have anything to do with robbers, nor can he accept anything from their hands.

The World's Paris correspondent says: "Our line of defense is 1500 yards from the Prussian outposts, and consists of impregnable entrenchments, constructed by the good beyond Villejuif. From these intrenchments no one may clearly see the Prussian sentinels. One hundred and fifteen mitrailleuses received from private sources, and which are now in the ditches, cannot fail on occasion. Point on point has been placed upon the works beyond Villejuif. The health of the city has improved decidedly. Large sorties have been made."

The Times says: "Should Congress arrived at Havana from Key West on the 16th. U. S. frigate Tuscarora was expected there on the 20th, to go into the dock for repairs.

Indianapolis, Nov. 24.—The permanent organization of the Emigration Convention which met here yesterday was perfected to-day by electing Governor Baker, of Indiana, President, and Col. Conlonis, of New York and Mr. Greenbaum, of Illinois, Secretaries, with one Vice President from each State and territory.

FOREIGN MARKETS.

London, Nov. 24—Evening.—Consols 93. Bonds 88¼. Tallow 43s 8d@48s 6d.

Liverpool, Nov. 24—Evening.—Cotton market firm; uplands 9¼d: Orleans 9¾d. Sales to-day 15,000 bales, 3000 of which were for speculation and export. Lard, winter-Wheat 10s 7d@10s 8d. Pork 101s. Turpentine 30s 9d.

RIVER NEWS.

Vicksburg, Nov. 24.—Passed up—Shannon, at 5 A. M.; Grand Era, at 6 A. M.; H. M. Shrive, at 1 P. M. Down—Rub, at 3 A. M. River falling. Weather cloudy and cold.

FROM SOUTHWEST PASS.

Southwest Pass, Nov. 24—6 P. M.—Barometer 30.50. Wind N. N. W., fresh.

Arrived—Ship Wellington, H. Hewes, at 1:15 P. M., Bourne, master, from Indianola via Galveston, to C. A. Whitney & Co.

Sailed—Ships Bella, Jura and Duke of Wellington; barks Palmas and Les Bons Fils.

[Previous Dispatches.]

Havana, Nov. 24.—Saintes were fired in honor of Aosta's election. Captain General Rodas ordered 101 and three thousand negroes. The city is comparatively healthy.

London, Nov. 24.—A serious engagement is reported as having occurred at Heriecourt, on the Oise. No particulars.

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The Times says: "Should Congress would pay the claim, it was proposed to move for a restoration of the issues to the clerks without waiting to see what, if anything, Germany would do; which would appear strange, indeed, without some such cause for the proposed action as that imputed in the affidavit alluded to.

No doubt is entertained here that the railroad company in question is the real party now seeking to have the legal tender question reopened, though the company will be nowhere visible in court, being used as their "stalking horse." The case is merely a "fiction" one, the railroad company being interested to get a reversal of the decision in the Hepburn and the United States being interested if Mr. Hoar was at the time to be taken to represent its views to maintain the validity as tender of its greenbacks. Both parties now (plaintiff and defendant alike) seek to bring about the same result. Such suits no Court will entertain if they are in "contempt of court," and upon the intimation of such a state of things an effort will doubtless be made to ferret out the truth.

Of course if the railroad company is the party in interest a hearing will be sought or will be accepted while the Chief Justice and Mr. Justice Nelson are absent; for they were of the majority who declared greenbacks tender. If Deming is the real party at present interested, a hearing will be sought, to be kept off until the return of these two members of the Court, for Deming's interest is to have the legal tender decision sustained. And here is where the "rub" comes in for obtaining it. Unless the Court reafirms its recent decision, Deming's claim fails, even if it was good, notwithstanding his having accepted the greenbacks tendered to him by the officers of the government. How, then, in this case will he any stronger than the ordinary debtor? He is not pressed, and why he should hazard the chance of a reversal is still more obscure. Suppose the court should reverse the judgment of the Court of Claims on that point, and hold that his acceptance was no bar to his recovery, and then, as at present constituted, it should return the full bench decision and decide that he was not entitled to demand gold, but that the greenbacks were a sufficient tender, and that on this technical question he will lose on the merits, or the main question. But in case of success, will Deming's claim, judgment of the Court of Claims on the technical question, then it would not proceed to the question on the merits at all, for that would be odious.

This particular point was the one which first induced the withdrawal of the appeal last spring. General Chatfield, of this city, came on here as counsel in Latham's case. Being a very shrewd lawyer, he took soundings before he proceeded. The best advice he could get, and what decided him, was this:

Suppose you go on with your case and a majority of the court decide with you or for you on the question of your acceptances and then decide against you on the main question, would you not be worse off than if you had never sent in your case? as well as the political news, by the command was fair throughout the day, and the indications were that the sales would have been to a considerable extent, had the supply been more copious.

COTTON STATEMENT

Stock on hand many set, 1869.....
Arrived previously.....
Arrived to-day.....
Cleared to-day.....
Cleared previously.....
Stock on hand and on shipboard.....

Receipts proper since last evening 1668 bales, against 2730 last year, making to-day's receipts since 1st inst. 4398 bales, against 30,858 for the corresponding time last week and 27,853 last year, and since August 1st, of 340,587 bales, against 360,728 last year.

SUGAR.—Received this morning 692 hhds. The demand is fair, the supplies are pretty much all assorted, and the market is firmer. Advices from the country state that cold weather has injured the cane and that many planters are windrowing instead of grinding. Sales to-day were at 6¼@6¾c. for inferior, 7¼@8c. for common, 8¼@9c. for good common, 9c. for fair, 9¼@9¾c. for prime, 10c. for fully fair, 8⅝c. for seconds, 11@11⅛c. for yellow clarified, and 11¾@12c. for white.

MOLASSES.—Received to-day 2000 bbls, which were mostly sold on the levee. Common 22½@25c., ordinary 28c., fair 56@59c., good 60@62c., prime 63@65c., strictly prime to choice 66@66c. Some half bbls. prime sold at 66c.

FLOUR.—Superfine is in request and firm. There is also some demand for double extra, but the higher grades are in ample supply. Yesterday, our receipts of 2950 bbls. superfine sold at $5. To-day 2100 bbls. were sold, of which 50 fair at $4 20, 150 choice at $4 25, 200 choice at $4 30, 250 and 500 double extra at $4 50, 150 treble extra at $5 25, 150 choice treble extra at $5 40, 100 do, at $5 60, 100 choice extra at $5 75, 250 do. at $5 90, 100 do. at $6 00, and 200 bbls. choice extra at $6 10 ⅓ bbl.

CORN.—Is dull and drooping. 3000 sacks were sold to-day, of which 700 sacks white at 73½c., 1000 choice at 74c., 1000 at 74½c., 300 at 75c., and 400 prime white at 75c. ⅓ bushel.

OATS.—Are also dull. About 1200 sacks sold to-day, of which 150 and 1200 sacks St. Louis at 53c. ⅓ bushel.

BRAN.—The market has weakened, and 600 sacks sold at 90@91c. ⅓ bushel.

HAY.—Prime timothy is in request. Prime commands $30, choice $29 ⅓ ton. 60 bales ordinary Western sold at $20, and 50 do. at $22 50 ⅓ ton.

PORK.—Only a heavy weight mess is held at $24 25@24 50 ⅓ bbl., while new mess is held at $23 25@23 50 ⅓ bbl. It is retailing at $24 50@25 ⅓ bbl.

DRY SALTS.—The market is bare of good and sound Meat. Shoulders are quoted at wholesale at 12½c., and are retailing at 12½@13c. ⅓ lb.

LARD.—Tierces are selling at 14¾@15c.; kegs 16@17c. ⅓ lb. There is no movement so wholesale.

BACON.—Some 25 casks clear sides sold in lots at 21¾c. ⅓ lb. Shoulders are dull at 12@12½c. ⅓ lb. Hams are selling at 23@25c. for plain, and 24@25c. for choice canvassed. There are no clear rib sides in market.

BREAKFAST BACON.—Prices for Northern have declined to 20@22c. Western sells at 19@19½.

BUTTER.—Is dull. Choice Goshen 42@45c., common to prime Western 20@35c., good do. 30@32c. ⅓ lb.

RICE.—Louisiana Rice continues very dull, and quotations are little better than nominal, viz: Choice 9¾@9¾c., prime 7¾@7¾c., ordinary 6¾@7c. ⅓ lb. Carolina Rice is in light supply and in demand at 9¾c. for good, and 10c. for extra prime.

WHISKY.—Is in good request and firm. Indiana rectified is coming. Cincinnati the same. 50 bbls. Indiana sold at 93½ ⅓ gallon.

TEXAS BEEF.—New Texas clear Beef is in moderate supply, but there is only a limited demand at $21 50@21 60 ⅓ bbl., and $12 50@