New Orleans Bee.

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THE DAILY BEE

[illegible] DAILY (SUNDAYS EXCEPTED) AT No. 73 Chartres street.

WEDNESDAY MORNING, FEB. 8, 1865.

Auction Sales this Day.

By E. M. Jacobs at [illegible] Exchange Alley [illegible].

JUDGE PEABODY'S OPINION ON THE VALIDITY OF THE PROVISIONAL COURT.—The last part of a lengthy opinion by Judge Peabody in cases involving the valid existence of the United States Provisional Court for Louisiana appears in our present edition, the remainder will be given to-morrow, and the whole will then be presented in connected form. It is a searching examination of the question involved, and calculated to be of great general interest as illustrating an important phase of what may, perhaps, be called the law of the war.

VARIETIES THEATRE.—The first matinée of the Ethian Minstrels will be performed here today at noon. In the evening Mrs. Gladstane will take a benefit, appearing in "Lady Audley's Secret" and the Honey Moon.

ST. CHARLES THEATER.—Two more performances of the Seven Sisters are announced at this place, for to-night and Thursday night, before its positive withdrawal.

The only regular line steamer advertised in the New York papers of the 28th January for this city, is the Evening Star, to sail on the 4th inst.

The relatives of Mr. J. A. Hildreth, brother of Mr. Hildreth, one of the lessees of the St. Charles Hotel, have received intelligence of his death on the 19th January, while going in a steamer from Guaymas, Mexico, to San Francisco. He had some time before gone to Arizona, hoping to invigorate his health which was delicate.

In the debate in the House at Richmond on the proposition to expel Henry S. Foote, Mr. Bruce of Kentucky, said in his belief that Gov. Foote was an old man, and had three sons in the army, and, therefore, while he had acted indiscreetly, the House should temper justice with mercy.

The vote on the majority report for expulsion resulted in ayes, 26 nays, but two thirds of the whole House being required to expel, there port was not sustained. The minority report—a vote of censure—was then adopted.

THE THREE SHOWS IN DAYLIGHT.—To-day ladies, family parties and little folks generally will have an opportunity for enjoying and witnessing the entertainments offered at the Academy of Music by the consolidation of the circus and Menagerie and Variety Troupes. All the new stars, together with the standard favorites, will appear in a very attractive and [illegible] arranged programme. La Belle Annie, the great South American horsewoman, Marple, the surprising gymnasts Snapper and Whitby, Pastor, the clown, Leon and his dogs, the animals, a new and remarkably amusing pantomime, are all to be witnessed. The great European [illegible], James Cooke, and the celebrated Carlotta De Berg are announced to appear on Thursday night.

A TELEGRAM FROM GEN. LEE ABOUT FORTS FISHER AND CASWELL.—The following words occur in the text of Admiral Porter's official report dated the 20th January.

We picked up a telegram from General Lee to the subordinate here, saying that if Forts Fisher and Caswell were not held, he would have to evacuate Richmond. He gave to it [illegible] and I should not be at all surprised if he left at any moment.

MAJOR GEN. GEORGE B. McCLELLAN, wife and child, left New York on the 25th for Europe, in the steamship China. Gen. McClellan was accompanied by Mr. August Belmont in whose society, it is stated, he will make a tour of the greater part of Europe, particularly Italy and France. The benefit of Mrs. McClellan's health is stated as the chief object of the trip. The General's friends and [illegible] crowds to the dock and gave him a hearty adieu.

News from Mexico—President Juarez's Term of Service.

[illegible] Mexican government, [illegible] November last, has been received here. The national troops under Gen. Quesada advanced, at the middle of November, to meet the French and traitors invading the state of Chihuahua. At Cerro del [illegible] a fight [illegible] and the [illegible] of which but little came. Gen. [illegible] Sonora [illegible] the French [illegible] that might have been of great [illegible] to Mexico [illegible] There were some doubts as to the terms of President Juarez. According to [illegible] of November [illegible] year [illegible] the [illegible] term will expire on the 30th of November of the present year [illegible] Mexicans are pleased, and the authority of President Juarez is recognized as before. He [illegible] to fight until the [illegible] are driven from their native soil.

At C[illegible] the organization of new troops was going on with activity, and the good spirit of the people is very remarkable.

From the N. Y. Times.

The Winding-up Campaign.

The campaign which has hitherto been operated by General Sherman, and to which the armies operating before Petersburg and Wilmington will soon take part, will be the closing campaign of the rebellion. It is no secret that a great portion of troops has been moving from the West to take part in it, and whether they reinforce for the moment the army of Meade, or of Terry, or Sherman, it is all the same. The campaign is a unit; its combinations are made under the supreme direction of Lieut. General Grant; and the enemy to be fought and defeated is the army of General Lee near Richmond. Grant's combinations have always been of a very great kind, both in the West and the East, and we believe that his final campaign will be the grandest of the war. The Richmond papers of Tuesday last show that the rebels of Richmond are in terror, lest a movement on the James accompany the other movements under way. Lee, we are told by the Richmond Dispatch, expected an attack on the north side of the James on Sunday last, and it was thought that on that day only the most inevitable [illegible] Attacks were also expected elsewhere on the lines, which the rebels fear are only temporarily postponed.

Responsibility for the Fall of Fort Fisher.—Attempt to Exonerate Bragg at the Expense of Lee and Davis.

(From the Richmond Enquirer, Jan. 25.)

The North Carolinian in answering its own query, "Who is to blame for the loss of Fort Fisher," exonerates Colonel Lamb and General Whiting, and of General Bragg [illegible]

We repeat it emphatically, General Bragg, neither before God or man, is not responsible for the fall of Fort Fisher. General Bragg, who is commander-in-chief of the Department of North Carolina, was, and is, only the agent of a higher power, whose policy and military advice he is bound to carry out in every particular. Bragg, therefore, the instrument of a higher power and obeying with military precision the orders of that power, he came into unpleasant collision with interest and persons whose feelings could not, in the nature of things, be other than inimical to him.

The first sentence quoted points very directly at either General Lee or President Davis. The Carolinian concludes yet more pointedly—

The truth is, the responsibility for the sad disaster rests either with those who did not send a sufficient number of troops to this place to defend it, or with the authorities, who seemed at all times to act in relation to the attack on Wilmington as if any such attempt on the part of the enemy was only the dream of a wild [illegible].

Here, again, General Lee and President Davis are so plainly pointed out that it would be affectation to pretend not to understand the attack. The editor says that "facts" of an official character had caused him to exonerate General Bragg. Here, then, we have two to [illegible] for this assault upon General Lee and the President. Who supplied those "facts"? We leave the reader to judge.

The calamities inflicted by General Bragg [illegible] has done much to injure [illegible] who has retained him in command [illegible] the public wish in that matter. [illegible] work of his at Fort Fisher he is [illegible] to shift upon the shoulders of [illegible] [illegible] General Johnston [illegible] reveals another delinquency [illegible] Fisher. Again, an "officer," [illegible] to attack the enemy the [illegible] on the beach, declined to [illegible] and the Carolinian excuses that officer [illegible] distinguished services he [illegible] performed for North Carolina in [illegible]. Has General Hoke again failed? [illegible] not be some inquiry into this [illegible] not high time that the service [illegible] of Bragg altogether, as well as the [illegible] whether an officer ordered to [illegible] shall presume to decline to obey his [illegible]. Upon the President and General Lee [illegible] is directly charged and that, too, [illegible] by General Bragg himself. Will they permit the charge to rest without inquiry?

Pressing Demands Against the Government.

(From the N. Y. Herald, January [illegible].)

Washington, January 28.—There are now pending over two hundred millions of pressing demands against the government, including the pay due the army, freight bills of railway [illegible], and debts due contractors, which there are at present means of paying. Certificates of indebtedness being payable in gold [illegible] bearing bonds, the Department will [illegible] of them without a reasonable [illegible] of realizing the gold to meet the interest. Neither can the issue under the late loan [illegible] to this purpose until after the passage of the Deficiency bill, now playing at [illegible] between the two houses of Congress [illegible] of the clause providing extra compensation to House employés of the last session. [illegible] state of affairs has brought [illegible] creditors here, who are begging members of the House to recede and [illegible] the bill to pass.

LATER DATES BY STEAM FROM NEW YORK.—We have by the steamships Guiding Star and George Cromwell our usual files of New York papers. Their dates are to the sailing of those steamers on the 28th P. M., and contain no important military or other news not anticipated via the river.

We are again obliged to Purser Field, of the Guiding Star, for newspaper favors. Purser Hempstead, of the George Cromwell, also has our thanks for similar esteemed attentions.

CITY INTELLIGENCE.

An Abandoned Child.—A young mulatress was brought before the Recorder for having abandoned her newly born infant, after she left the Hospital where it was born. The woman explained that her husband came home about five months ago, after his having been absent near three years. She abandoned the child to hide it from her husband.

The case was postponed, to enable the Recorder to find the law on the subject.

Police Cases.—Florence Manville who stole a pair of pigeons worth $2 00. He was fined $5 00. James Robinson, c., who resisted a police was fined $10. Other disturbances of the peace, &c., were disposed of with fines and imprisonment.

United States District Court—Judge E. H. Durell.—Argument was heard in the case of the U. S. vs. 111 bales and 2 bags of cotton. The property had been taken to Fort Pike where it was seized. It was libelled as being the growth of the enemy. For the defence it was claimed that the permit of the Revenue Department covered the cotton. The case was continued.

Experts were appointed to examine the log and to determine the position of one of the prize vessels on each day at noon, during the voyage.

Provost Court—Judge Lieber.—The case of Captain Boardman, of the steamer General Banks, came up again, and evidence for the defence taken. The clerk and engineer of the steamer testified that the boat had been kept waiting for certain passengers, who did not arrive, and that when the order to leave was given it had become necessary to procure rations, and this was the cause of the charge.

The Legislature.

TUESDAY, February 7, 1865.

Senate.—The Senate met at the usual hour, Lieutenant Governor Wells presiding.

Prayer was offered by the Rev. Mr. Hopkins.

The journal was read and approved.

Mr. Montamat gave notice that he would on some future day introduce a bill relative to Recorders in the city of New Orleans.

The same Senator, according to previous notice, offered a bill to amend the 9th Section of an Act relative to juries in the Parish of Orleans. Laid over.

A resolution from the House relative to the police bill was tabled. The joint resolution asks for the appointment of a Committee of Conference on that bill.

Another joint resolution, authorizing the State Treasurer to rent the houses No. 180 and 188 ——— street for the offices of the State Treasurer, Auditor of Public Accounts, Attorney General, the Land Office &c., was rejected.

During the reading of committee reports in regard to the $500,000 issue of State notes, the special order of the day was taken up.

This was the Portwarden bill and created considerable discussion between Messrs. Hills, Mitchell and Barrett. A memorial from the Chamber of Commerce in opposition to the bill was presented by Mr. Hills and ordered to be spread on the minutes. Mr. Hills strenuously opposed the fees as fixed in the bill. After the adoption of the 4th Section, the Senate adjourned.

House of Representatives.—The House met at the usual hour, the Hon. S. Belden, Speaker, in the chair. A quorum was present.

Prayer was offered by the Rev. Mr. Magee.

The minutes were read and adopted.

Leave of absence was granted to Mr. Collins.

The Committee on Election reported adversely to the reception of the parties claiming to represent the Parish of DeSoto, as these were not the proper State Officers to hold an election in that Parish.

Mr. Mitchell's Bill providing for the election of five Justices of the Peace in the Parish of Jefferson passed a first reading.

Mr. Cumberland's Bill relative to the testimony of interested parties in civil cases passed the first reading.

The City Charter then passed the third reading and was adopted with its title.

The House adjourned.

OPINION OF JUDGE PEABODY.

[illegible]

Its Warrant in Law and Jurisdiction.

UNITED STATES vs. AUGUST REITER—UNITED STATES vs. JOHN LOUIS.

These cases were tried on the informations against the accused before Judge Peabody and a jury, and were severally convicted; Reiter of murder, and Louis of arson. After the convictions a motion was made in each case in arrest of judgment.

The motions were heard together for sake of convenience, and at the request of the counsel for the accused.

Evelyn Whittaker, Counsel for Reiter.

Messrs. Durant & Hornor, Counsel for Louis.

Mr. Geo. D. Lamont, Prosecuting Attorney of the Court, Counsel for the Government.

Opinion.

These two cases may, without inconvenience or danger of confusion, be considered together, although they have in fact no connection with each other. The same objection to the proceedings of the Court to pronounce sentence in the accused, and in arrest of judgment, is made by both the defendants, and although the objection is urged on different grounds in the two cases, still the objection is proper to be considered on all the grounds in each case. It is urged that this Court is not authorized to try these defendants, and that its proceedings have not the sanction of law in the premises. If for any reason the authority is wanting in one case it is equally so in the other, and the Court should refrain from going further in either case.

The accused have been indicted separately and tried separately on charges wholly different and having no connection the one with the other, and the consideration of their cases together rather than separately, now, is a matter of convenience solely.

One of the accused, Reiter, has been indicted for murder, in causing the death of his wife by violence.

The other has been indicted for arson, in burning a building used as a mansion or dwelling house.

Each has been tried before a jury of this parish and been duly convicted of the offence charged in the indictment, and each is now before the Court on a motion in arrest of judgment, and in each case the arrest is urged on the ground that the Court is not authorized in law and has not jurisdiction to try the case.

The counsel for Reiter claimed that the Court, in its constitution and creation, had not originally the warrant of law to try the accused.

The counsel for Louis concede that the Court had authority originally to entertain and try such a case, but insist that for causes occurring since, its authority has ceased, that certain steps taken in Louisiana toward the re-establishment of a civil State government have superceded the powers once possessed by the Court, and that it is now without jurisdiction or power. The offences of which the defendants stand convicted, by the laws of Louisiana are punishable with death, and nothing would be more agreeable to the Court than to proceed with the utmost caution in considering these objections to its jurisdiction.

The accused have been indicted, tried and convicted under and pursuant to the law of the State of Louisiana.

The first question to be considered is whether the Court has ever had, from the nature of its origin and constitution, authority to try cases like these, and if this question shall be decided in the affirmative it will remain to examine.

The second question, namely, whether the power to try or the jurisdiction over such a case, once possessed by this Court, has been withdrawn or lost, whether the Court in fact has been in any way deprived of it by subsequent events.

It must be conceded that the Court, in its origin and structure, is quite out of the usual course and novel. It has not its origin or foundation in any constitutional or legislative enactment; is not the creature of any regularly organized constitutional or legislative body. Ordinarily the judicial tribunals of the land are the creations of the legislative departments either of the State or Federal Government, and for the regularity of their creation and the character and extent of their powers depend on the action of the legislative branch of the one or the other of these powers. In such cases, it is but [illegible] to be done in ascertaining the legality or powers of a Court, is to consult the constitution and legislation of the Government from which it claims to hold commission, and in the letter of these is found the act of its creation and the extent and limit of its powers.

Not so with this Provisional Court, which depends for its existence on the law of nations, and on that part of the law of nations relating to war—the law by which parties and neutrals are guided in their treatment of each other in a state of war, and that portion of it which relates to and determines the rights and duties of a belligerent, a conqueror in the territory of an enemy, and holding it in armed occupation. On that law must depend the decision of the question presented by this motion, of the validity in law and the powers of this Court.

On that law alone must this Court rely for the power and jurisdiction it has exercised for a considerable time, in a large number of cases involving amounts usually very large.

It was in that law that the President of the United States, pressed by the urgent wants of the community here, found his warrant for the establishment of this Court in the midst of the country of an enemy held by him jure belli in armed belligerent occupation.

The authority of this Court is derived from the President of the United States, the Chief Executive of the nation, and Commander-in-Chief of its forces, military and naval. It is conferred by an order, of which the following is a copy:

EXECUTIVE ORDER,

Establishing a Provisional Court in Louisiana.

EXECUTIVE MANSION,
Washington, October 20, 1862.

The insurrection which has for some time prevailed in several of the States of the Union, including Louisiana, having temporarily subverted and swept away the civil institutions of that State, including the judiciary and the judicial authorities of the Union, so that it has become necessary to hold the State in military occupation; and it being indispensably necessary that there shall be some judicial tribunal existing there capable of administering justice, I have, therefore, thought it proper to appoint, and I do hereby constitute a Provisional Court, which shall be a Court of Record for the State of Louisiana, and I do hereby appoint Charles A. Peabody, of New York, to be Provisional Judge to hold said Court, with authority to hear, try, and determine, all causes in law, equity, revenue, and admiralty, and particularly all such powers and jurisdiction as belong to the District and Circuit Courts of the United States, conforming his proceedings, so far as possible, to the course of proceedings and practice which has been customary in the Courts of the United States and Louisiana, his judgment to be final and conclusive. And I do hereby authorize and empower the said Judge to establish such rules and regulations as may be necessary for the exercise of his jurisdiction, and to appoint a prosecuting attorney, marshal, and clerk of the said Court, who shall perform the functions of attorney, marshal, and clerk, according to such proceedings and practice as before mentioned, and such rules and regulations as may be made and established by said Judge.

These appointments are to continue during the pleasure of the President, not extending beyond the military occupation of the city of New Orleans, or the restoration of the civil authority in that city and in the State of Louisiana. These officers shall be paid out of the contingent fund of the War Department compensation as follows: [illegible]

Such compensation to be certified by the Secretary of War. A copy of this order, certified by the Secretary of War, and delivered to such judge shall be deemed and held to be a sufficient commission. Let the seal of the United States be hereunto affixed.

ABRAHAM LINCOLN.

By the President:
WM. H. SEWARD, Sec'y of State.

WAR DEPARTMENT,
Washington, October 23, 1862.

I hereby certify that the foregoing is a true copy, duly examined and compared with the original of the Executive order of the President of the United States, constituting a Provisional Court for the State of Louisiana.

Witness my hand and the seal of the War Department.

EDWIN M. STANTON, Sec'y of War.

Attest: JOHN POTTS, Chief Clerk.

This order, by its terms, no doubt embraces cases like these under consideration, as indeed it does, perhaps, all others which can occur in life, or become the subject of judicial investigation.

The language of the order "to hear, try and determine all causes, civil and criminal, including causes in law, equity, revenue and admiralty," is clear and unquestionable, and embraces the class of cases, with all others of every description.

The President then sought to give power to this Court to try and determine cases of this kind and having made an order to that effect, has given it that power, if he himself had the authority to confer it. The only question remaining to be answered on this point is whether the President had authority to confer such power and jurisdiction.

The authority of the President of the United States to create this Court, and invest it with powers which should embrace these cases, depends, to some extent at least, on the Constitution of the United States, which creates the office exercised by him, and determines its functions. The Constitution, article 2, section 1 paragraph 1, declares as follows:

"The executive power shall be vested in a President of the United States of America."

It also provides, article 2, section 2, paragraph 1:

"The President shall be Commander-in-Chief of the army and navy of the United States, and of the militia of the several States when called into the actual service of the United States."

As President, Chief Executive, and Commander-in-Chief of the army and navy, he would not ordinarily have power to establish Courts for the determination of questions civil and criminal, arising in civil life. Was there anything in the condition of affairs existing at the time the order was made which conferred on him the power to establish them, and if so, what was there in the condition of affairs then existing to give him power in this respect not ordinarily possessed by him as one of the [illegible] ruling officer?

Between the Government of the United States and a people occupying a large territory bounded by the Atlantic Ocean and the Gulf of Mexico, and extending beyond the northern limits of the territory in question, and some hundred miles westward beyond, the territory before known, and still most commonly designated as the State of Louisiana, a war had for some time been waged. This fact is a notorious and universally recognized as well by the President, the ultimate arbiter of the fact, who has proclaimed it to that effect. At the time before, as well as long since [illegible] to collect the facts to which I can have reference [illegible] so many of the [illegible] the [illegible] and [illegible] will be accorded.

The matter of public knowledge and notoriety that the war had for a long time been [illegible] over which [illegible] the Court is sitting, and [illegible] known and recognized as the State of Louisiana, had been for many years held and occupied by those people and their forces, military and naval, so that for a long time previous to, and also since the commencement of this war, undisturbed and owned by the same people who had been toward and cut off from all [illegible] with the Government of the United States, and [illegible] occupied [illegible] who [illegible] own Government of the United States had, and were still in a state of enmity. That it had in the contest of the war been by force thrown out of the United States, wrested from the enemy, and was at the time the order was given, or which held in occupation by the forces of the United States in armed belligerent occupation. That at the time the forces of the United States had been [illegible] from the forces [illegible] and that it was, in the [illegible] continuing, that by the armed forces of the United States, in [illegible] war was still waged between the belligerents.

The civil institutions of the country, that had [illegible] the tribunals of justice, and the judiciary, had been forced to abandon, and by the course of the conquering power and withdrawn in [illegible] at the time of the conquest.

The institutions having been formed, established and administered by the Government existing previous to and at the time of the conquest, consistently hostile to the Government of the United States, which were the only authority at and there at the time the military authority of the United States, by force of its arms expelled them.

By the conquest of the country, in this manner, the previously existing government and the powers by which it was administered were subverted and swept away, and those of the opposing power introduced in their place. This is the necessary consequence of the conquest of a country, a transfer of the control, government, and sovereignty of it from one party to another.

The old powers are expelled and extinguished, and the new one of the conqueror is instituted in its place. The old institutions, if not abandoned and extinguished, are at least suspended in their action.

They may be transferred to and adopted by the new governing power, and may be used and operated by it, just as an old machine, detached from the power that has heretofore moved it, may be attached to a new power which can operate it, and it is not more to be said that the [illegible] mechanism which can probably be introduced into a new machine having different qualities, moved by a new and wholly another power, and used to accomplish, on the whole, perhaps purposes quite different. However, there may be retained in use by the new governing power some of the features or institutions of the government which has been supplanted, it is nevertheless wholly another government, and derives its life and all its vital parts from a new source—the new sovereignty installed by the conquest. A conquest necessarily operates the extinguishment of the power of the party conquered in the country which is the subject of conquest, and the establishment there of the power of the conqueror. Without this there is no conquest of a country, and there can be none.

When the power previously dominant in a country has been extinguished by that of another party, and rendered incapable of governing it farther, and a new one has been established in its stead, it is both the right and the duty of the party thus coming into power to see to it that a government wholesome and salutary shall be established and administered, and as between the parties there is only one power, that of the new party succeeding, capable of giving and administering the government, it follows that the duty as well as the right of that power exists.

No country can exist without a government of some kind. The rights of the inhabitants must be protected; crime must be restrained and punished—the virtuous must be protected against the vicious—the weak against the strong—order must be preserved, and security to persons and estates secured. The party dominant for the time being has the power to do it, and no one else has the power, and it follows from the necessity of the case that he must exercise it.

So this Government of the United States having conquered and expelled from the territory of a country, theretofore known as the State of Louisiana the power by which the government of it had been theretofore administered, and having established there its own power, was bound by the laws of war, as well as the dictates of humanity, to give to the territory thus bereft, a government in the place and stead of the one deposed or overthrown, such an one as should reasonably secure the safety and welfare of the people thus reduced to subjection, in some manner, not inconsistent, to be sure, with the proper interest of the governing power, and the maintenance of it in its supremacy there.

The power established there was the military power of the United States, and the President of the United States, as we have seen, the Commander-in-Chief of the forces, military and naval, of the United States, was at the head of that power, and had the right and duty to exercise and direct it. It was incumbent on him, representing for this purpose the sovereignty of the United States, to see that the duty devolving on his government should be properly performed.

He acted in obedience to his duty, and in accordance with this right, when he attempted to establish there a judicial tribunal capable of deciding controversies and administering justice.

But how does this question stand on the authority of adjudged cases.

In the case of Cross et al. vs. Harrison, in the Supreme Court of the United States, in 1853, reported in 16 Howard, at page 164, the Court held that a civil government formed in California, under the direction of the President of the United States, as Commander-in-chief of the army and navy, shortly after the conquest of the country, and while it was held in military occupation by the forces under him, was an act warranted by the laws of nations, and that the formation of such a civil government was the rightful exercise of a belligerent right over a conquered country.

It appeared that the port of San Francisco had been conquered by the arms of the United States in 1846, and that shortly afterwards the United States holding military possession of all Upper California, the President authorized the commander of the forces of the United States there, to exercise the belligerent rights of a conqueror, and form a civil government for the conquered territory, with power to impose duties on imports and tonnage, for the support of the government and of the army which held the country as a conquest in possession. This was done, and duties were levied and collected for a time. Afterwards, a treaty of peace was made with Mexico, by which Upper California was ceded to the United States.

After this treaty, and after the cession to the United States of the territory, the Military [illegible] the plaintiffs, who sought in that suit to recover them back again. The question presented was, whether the United States, after the cession of this territory to it, and in the absence of any legislation by Congress on the subject, had a right by its Military Governor to collect those duties. The Governor, it appeared, collected them of his own motion, and without any instructions on the subject from the Government at home. No question of the right of the Government to levy duties as it pleased, while the country was held by right of conquest in strictly military occupation, appears to have been made, but the continuance of that right after the treaty of peace, and after the cession of the country to the United States, seems to have been chiefly in question. The Court sustained the right in the broadest manner, putting their decision on the ground that the formation of the civil government when it was done, was the lawful exercise of a belligerent right over conquered territory. That that government being in existence when the territory was ceded to the United States, its powers did not cease by reason of the cession of the country to the United States, or of the restoration of peace, and that it was rightfully continued after peace was made with Mexico until Congress should legislate otherwise.

The decision covered the whole ground that the duties were lawfully collected by the Civil Military Governor of California, an instrument of the provisional government of the United States in that country whilst the military occupation was continued, and that it was afterwards from the ratification of the treaty of peace until the revenue system of the United States was put in practice, under acts of Congress passed for that purpose, in effect deciding that the provisional government of the United States there was rightful and legal, and that it continued in force a legal, rightful government through the time the country was held in military occupation, and after that occupation ceased, and that it was, in fact, in force until some other system was provided according to law to supersede it.

For the doctrine that a conqueror in a conquered country may establish a government, and courts for the administration of justice, the case of Leitensdorfer et al. vs. Webb, decided by the Supreme Court of the United States, in 1850, reported in 20 Howard, 176, is an authority directly in point. In that case the conquest of the Government of the United States by Gen. Kearney, the officer in command of its forces there was brought in question. It appeared that after the conquest of that country by the arms of the United States, Gen. Kearney, in command of the forces there, established a government and provisional courts for the administration of justice.

These courts, in the case referred to, were adjudged to be legal, and their decisions obligatory, as warranted by law. The power to establish the government and the courts was directly in question, and was directly passed upon by the Court, and was sustained on the ground of the right of conquest.

In that case, moreover, it appeared that the country conquered was subsequently, by treaty, ceded to the United States, and it was claimed that by the act of cession the rights of the United States to govern the country and enforce the laws made by the provisional government which it was held in military occupation, was terminated.

It was not seriously questioned that the United States might, while it continued to have in military occupation, establish a temporary government of government—make laws by which to govern the inhabitants and regulate their rights and to enforce them among themselves, and set up courts by which the laws made should be administered. That right was deemed to be in [illegible] the Court, [illegible] had

[illegible]

[To be continued and concluded in next issue.]

Letter from Lieut. Gov. Jacob, of Ky., after his Return from the Confederacy.

HIS INTELLIGENCE OF THE REBEL FALSEHOOD AND DETERMINATION.

Washington, January 19.

To the Editor of the N. Y. World.

I find the following in the Globe: "The Washington correspondent of the World says Lieut. Gov. Jacob, of Kentucky, who returns from Richmond with Mr. Blair, predicts that there will be a cessation of hostilities within two months, and a proposal of peace upon some terms of reunion from the Confederate Government to ours." Your correspondent has been misinformed. I never used such language nor the reverse, that I have heard, as attributed to me, "that the rebellion could not be crushed." I will not attempt at this time to state what I believe at large. At the proper time, over my own signature, I may give my impressions. I do not wish to be accountable otherwise. I have two reasons for this.

First, that erroneous opinions, without being corrected, might prove detrimental to the public interests. Secondly, that I do not wish to do injustice to a brave, determined people, who, when base men in my own government, notwithstanding that I had fought and bled in the defence of my flag and the unity of my country, had me kidnapped and forced within their lines, treated me with distinguished respect and kindness. Nor did I accept their hospitality with a lie upon my lips, that I was not a Union man. I never pushed my opinions; nor did I deny my principles when, incidentally, the conversation would take that direction, and I was applauded for my candor. I shall ever feel grateful for their kindness.

A few words more. These people are fearfully in earnest; they are not suffering for the necessaries of life; they believe that they have nothing to hope for from Lincoln's present policy, and that to fight is gain. Unless the present policy is materially changed, I predict a long, bloody and fearful war, to which the past was but child's play. With statesmanship and patriotism, under God's blessing, we may yet restore that which is dear to every patriot's heart, the unity and happiness of the American people.

Very respectfully,

RICHARD T. JACOB.

G. B. Lamar, of Savannah.

(From the Richmond Whig, January 24.)

The Augusta Register says that G. B. Lamar, who was at one time President of the Bank of the Republic, in New York, and subsequently President of the Bank of Commerce, in Savannah, and one of the largest cotton holders [illegible]

FROM OUR YESTERDAY EVENING EDITION.

Arrival of the Guiding Star.

The steamship Guiding Star, Captain William Knapp, from New York, January 28th, 5½ P. M., arrived early this morning, having crossed the bar Monday at 4½ P. M., after lying off S. W. Pass from Saturday at 3 A. M. on account of the fog.

We learn by this arrival that the Evening Star reached New York on the morning of the 28th ult., at 11.

Passengers by the Guiding Star:

L. C. Cox, Mrs. Sherritt, Mr. Bush, M. Simon, J. K. Topham, Mrs. Ebeale, G. Haight, C. N. Haight, E. C. Dilley, F. C. Sheeman, M. Burnett, A. Rout, Major Brigham, wife, child and servant, J. F. Rodgers, R. Barrett, C. N. Bodish, Col. O. B. Drake, O. C. Pacard, S. B. Pa[illegible], M. r. Plotkin, J. C. Caldwell, L. Abbott, S. C. Tauber, James M. Adams, Mrs. Jackson and son, Mr. Keating, Captain Goodrich, and 40 in the steerage.

Arrival of the George Cromwell.

The United States mail steamship George Cromwell, K. E. Vaill, commanding, from New York, January 28th, at 3.15 P. M., with the mails, merchandise and passengers, to Alfred Moulton, arrived soon this morning.

The George Cromwell arrived off the Passes at 1 P. M. on Saturday, 4th February, was detained by dense fog until Monday, February 6th, crossed the bar at 3 1/2 P. M., delayed ten hours by steamer Guiding Star, ashore in the channel.

Sunday, January 29th, at 5 P. M., latitude 36 degrees 14 minutes, longitude 74 degrees 50 minutes exchanged signals with steamship Havana, Green, from Havana, for New York.

Thursday, February 2, off Key West, spoke Key West pilot boat cruising and supplied them with papers.

The following is a list of the passengers by the Geo. Cromwell:

[illegible]

Capt. Hooper, of the Bark New York, reports having experienced heavy weather during her passage.

The Schooner Argus Eye, Capt. Townsend, from Philadelphia for the South West Pass sailed for Galveston on the 1st inst.

Capt. Freeman, of the Brig Star of Faith, from Philadelphia, reports heavy westerly gales, January 11th, in Lat. 31—Long. [illegible] West, while have to lost fore top gallant and royal masts, and main top masts overboard, and has been leaking about 500 strokes per hour ever since, this Brig has wire rigging.

Colonel North, New York State Agent for the soldiers' vote in the Presidential election, arrested and imprisoned by military authority at Washington on the charge of election frauds, has been unconditionally released by order of the Secretary of War.

Later and Additional via Cairo.

[illegible] from a Cairo evening paper of the [illegible] January.

[illegible]

Washington, January [illegible].—The Herald's Washington special gives the inside of Blair's Richmond mission as an utter failure, but that it resulted in Jeff. Davis declaring that [illegible] in fifty days owing the fact that many of the rebel chiefs are desirous of peace and are willing to submit to much more [illegible] terms [illegible] newspapers [illegible] Davis [illegible]

[illegible]

The Tribune's special says that only two Democrats of the House who voted with the Administration [illegible]

Although they are Democrats, they state that Mr. Blair and that Jeff. Davis authorized him to effect the passage of the constitutional amendment abolishing slavery. That he confessed that the war had uprooted and destroyed slavery, that it had induced disunion, and the time had come to get rid of slavery, and [illegible] it was the only obstacle to peace [illegible] Union. [illegible] Mr. Blair had never uttered a word of what was imputed to him.

All peace talk [illegible] very [illegible] exploded [illegible] Governors of Georgia and North Carolina [illegible] Savannah [illegible] Sherman [illegible]

[illegible]

New York, January 31.—The Tribune has a leading article on a recent letter [illegible] wherein the [illegible] Davis [illegible] Roman Catholic Bishop Lynch of South Carolina, to Europe [illegible] But Bishop Lynch went farther and assured [illegible] of the Catholic Church [illegible] France, Spain and Austria, under the guidance of the Pope—has been formed, pledged to recognize the Confederacy after the 1st of March next, on the ground that it did not take part in the Presidential election.

The Tribune also learns that the rebels are to make a fresh assault on Richmond, and in case they cannot hold it they will burn it to the ground, to show Christendom they would rather be exterminated than subjugated.

SHERMAN'S ARMY MOVING FROM SAVANNAH.

New York, Jan. 30.—The Times's Savannah correspondent, 13th, says Sherman's army leaves Savannah to-morrow.

The 1st and 3d Divisions of the 17th Corps were at Hardeeville, S. C., when last heard from.

HOW FORT FISHER WAS BLOWN UP.

The Herald's Washington dispatch says the Navy Department has received confirmatory intelligence that a telegraph wire was discovered after the explosion of Fort Fisher, leading across Cape Fear River, and within about two miles of the rebel lines. There is no doubt but the magazine was purposely exploded by the rebels.

Financial and Commercial.

New York, January 30.—Cotton quiet at 120. Flour at $[illegible], extra State $[illegible] 50 to [illegible] R H O wheat dull and 2 to 3c better. Corn dull.

Oats quiet at $1 06 to 1 06 1/2.

Pork unsettled and decidedly lower. $37 to [illegible] for new, $31 50 to 35 for one year old, $[illegible] 50 to 31 for prime, lard dull and drooping at 19 to 23, dressed hogs quiet at 15 to 17 1/2.

Western whisky firm at $2 29 to 2 31.

Stocks lower, money 6 to 7, sterling quiet at [illegible], gold opened at 213 fell to 211 5/8 and closed at 211 1/2. C. B. Q. 119, Reading 105, Erie 74, N. Y. C. 112, coupons [illegible], do registered 104 1/2, [illegible] coupons 106, [illegible] 10 do 101.

Press Comments on the Reported French Colonization Project in North Mexico.

[From the Chicago Times.]

The Mexican news of yesterday was not without significance and interest. The rumor of the cession by Maximilian to Napoleon of the western half of Mexico comes in a very direct manner, and from seemingly respectable authority. Captain Beauregard, brother to the rebel general of that name, acting in the capacity of private secretary to William M. Gwin, formerly United States Senator from California, is made responsible for the report. It seems improbable, however, that Maximilian, at so early a stage of his reign, would divest himself of half his empire, and equally improbable that Napoleon would accept in payment of a debt property that for many years would require large expenditures above its income, and which, because of its remoteness from France, promises no tempting inducements as a permanent investment.

Undoubtedly Maximilian is suffering from all the embarrassments incident to an empty treasury. With enormous demands for revenue, the unsettled state of the country and poverty of the inhabitants forbids a reasonable hope that what is needed, may soon be received. But it can hardly be imagined that Napoleon, at whose instance Maximilian accepted the throne, would now press his claims for payment, and without immediate and imperative necessity the new Emperor would hardly prove himself so insensible to the honor and interests of Mexican nationality as the reported cession of territory would prove him to be.

It is not much more probable that Gwin has obtained large grants of land, and is authorized to encourage emigration from the Southern States. Maximilian is doubtless somewhat familiar with the history of Texas, and has learned from that the surest method by which Mexico can preserve her identity as a nation is to keep citizens of the United States out of her territory. The aristocratic element in the South would find in an Imperial government much that is congenial to its nature, but if Mexico shall be opened to the Confederates, the "universal Yankee" will crowd after and carry with him the seeds of revolution. The dim prospect, which is now offered there for the establishment of order and law is attracting the attention of citizens and tempting them to emigrate. That portion of yesterday's news which said that "much feeling exists against the Americans on the part of the Imperialists, and at Mazatlan they are hardly spoken of by the Imperial organ," is probably correct, and those of our citizens who are contemplating emigration to that country will do well to consider it. They will not be welcome guests, and still less will they be welcome as permanent residents.

[illegible] referred to the French project of attracting to Sonora large numbers of the Southern rebels and thus establishing a bulwark to defend the Mexican Empire against invasions from the North. Napoleon may suppose that such a colony of renegade Americans, will ultimately sustain claims for the reclamation of the Louisiana purchase. What will be the result of the Sonora project it is impossible to foresee.

Sonora is bounded on the north by our territory of Arizona, east by the State of Chihuahua, south by Sinaloa, and west by the Gulf of California and Lower California. It has an area of 86,855 square miles, and probably a population of one hundred and fifty thousand persons. A portion of Sonora is mountainous, but much of it is level, and with every variety of climate, a large part of the soil is extremely fertile. Sonora has much mineral wealth, but the attacks of Indians has heretofore prevented the working of the mines. Its agricultural productions are all kinds of grain, sugar cane, coffee, cocoa, and most other products of both the torrid and temperate zones.

It is probable that many planters in the Trans-Mississippi Department have already sent their slaves to Sonora, and that the inducements held out to the rebels to emigrate thither will cause a very large emigration from Texas, Louisiana and other States. There are few of the rebel leaders who are still such fools as to imagine that the rebellion can be a success or that it can much longer stand before the overwhelming power of the Federal Government. Probably nine-tenths of them are now considering the best way to get back under the Government, or their failure of the chances of emigration to Sonora. It would not surprise us if the rebel exodus from all parts of the Confederacy.

(From the New York Times, Jan. [illegible].)

Those who are familiar with the current of recent political ambition, know that the mining provinces of Northern Mexico have for many years been coveted and sought for by France. As far back as 1852, we translated and published in the Times an elaborate pamphlet on this subject, by de Daumartin, and subsequently Count de Boulbon, at the head of a small French force, perished in attempting to [illegible]. Napoleon is evidently clinging to the project with the same tenacity and it [illegible] his designs in regard to Mexico.

He secured the assent of England and Spain to the war, by stating as his motive what would be most powerful with each. Spain's cooperation was attained by vague declarations about restoring the ascendency of the Latin race. England was purchased, as it always can be for any cause however [illegible], by promising to secure the payment of the Mexican debt to British subjects. Both were afterward privately told and the whole scheme rested in French hands, and he [illegible] of [illegible] the [illegible] to [illegible] Napoleon [illegible] gave her [illegible] [illegible] the [illegible] and [illegible] the very [illegible].

Hemay be able to hold it but would [illegible] long provinces are immensely [illegible] their mineral gold and silver raw [illegible] for [illegible] agricultural wealth [illegible] are very great [illegible] when even the people of Mexico [illegible] divided up among European powers [illegible] forever. But whether this may or may not happen [illegible] the United States will [illegible]

[illegible]

Arrest of a Peruvian Naval Commander in England.

[illegible] the Peruvian [illegible] the Foreign [illegible] building them to serve [illegible] that the vessel [illegible] the Peruvian [illegible] magistrate.

MONETARY AND FINANCIAL.

[illegible]

The principal [illegible] active to-day [illegible] and [illegible] nothing. There was [illegible] yet [illegible]

The demand [illegible] Otherwise the [illegible] under the nominal quotation.

Specie [illegible] against a [illegible] at 2 3/4. Nothing was reported in silver [illegible] half dollars may [illegible] dollars at 4 1/4 [illegible] at New York at 4 [illegible] compared with Gold [illegible].

Foreign Exchange continued [illegible] yesterday's advance. The sales of Sterling [illegible] private banker's [illegible] at 220, and [illegible] [illegible] One of the Banks was selling to draw at [illegible], but nothing [illegible] has transpired in Matamoras to form a basis for quotations. Francs we notice some [illegible] private sold at [illegible]. The Banks ask 4 [illegible].

There was very little Domestic Exchange offered, and the sales [illegible] within our observation did not exceed $[illegible], including some New York sight at [illegible] and [illegible] per cent, one days' sight at [illegible] and ten days' at [illegible]. The counter demand was supplied by Banks and dealers at par [illegible] discount, mostly at par, but there being no steamer for the West until to-morrow evening, it was extremely light. To-morrow a mail for New York will be dispatched by the Western route. Paymasters Checks, payable in New York, were passed at from 1 3/4 [illegible] per cent. discount, and Services Vouchers at [illegible].

The Stock market continued inactive, and the only sale reported was 20 Shares City Railroad yesterday, at a material decline, say at $117, or less. It was offered at less. There was some little enquiry for Gas Light at $135. The sales of City Bonds included 2 Consolidated at 83 1/2. They are now quoted at 8 [illegible] for Consolidated and 71 [illegible] 75 for the Railroad issues.

We heard of nothing of any moment being done in the Bank note market. Bank of New Orleans bills were offered at 43c ₩ dollar, without meeting a purchaser. Merchants are still quoted at 39 [illegible] dollar, Bank of New Orleans at 42 [illegible], Bank of Louisiana at 49 [illegible], and Crescent City at 67 [illegible]. These figures are for round sums. Dealers pay inside rates, or less, for the triding sums offered at their counters. The Bank of New Orleans and the Crescent City Bank give old State Bonds in exchange for their circulation at par, the former without and the latter with the five matured coupons unpaid. Our quotations are predicated on payment in legal tender notes which command a premium of [illegible] ₩ cent. over City Treasury notes, while the latter are still the general medium of exchange in our local trade and received for both State and City taxes. There is, and has been for several days, quite a lively demand for them, dealers selling them at [illegible] and buying at 1.

[illegible] Market.

[illegible], February 7, 1865.

Arrived yesterday [illegible] Amount of [illegible] sold: [illegible] [illegible]

Western [illegible] quality [illegible]

COMMERCIAL.

OFFICE OF THE BEE,
Monday Evening, February 7, 1865.

COTTON.—The movement has been resumed to-day with a fair degree of spirit, the sales reaching 350 bales, embracing 140, 77, 35 and 80 to 100, none of the particulars of which were reported. From what we learn, however, Good Ordinary may be quoted at 66 to 68c, Low Middling at 70 to—, Middling at 72 1/2 to— and Strict Middling at 74 to—. These figures indicate an advance of 2 1/2 to 3c in Middling and 3 to 4c in the lower grades. There was none sold at auction.

TOBACCO.—There have been sales during the past few days of 1 hhd refused at 14c, 1 frosted at 13c, 1 fair at 20c, 1 do at 22c, 3 to lv fair at 23c, and 2 good at 25c ₩ lb., all to dealers.

SUGAR AND MOLASSES.—The supplies are very light and the sales are consequently confined to a few small lots of Sugar at previous prices, good common to fair 20 to 21c, fully fair 22 to 22 1/2c, prime 23c, and choice 24c ₩ lb. Of Molasses 140 barrels common sold at $1 12 1/2c per gallon.

WESTERN PRODUCE.—A steamer arrived from the West last evening. She had a light cargo of assorted produce, including only 191 barrels Flour. The produce market is quiet and unchanged and the sales to-day comprise 1,000 barrels Flour in lots of about 100 barrels at $10 50 per barrel for prime $11 to $11 25 and $11 50 for superfine, $11 85 to $12, for low extra and $12 25 per barrel for good do., 500 sacks Corn at $2 for Western new, white and mixed and $2 10 per bushel for red white and mixed and 700 sacks Bran at $2 75 per 100 lbs. Prime Western Lard in tierces is selling in lots at 25 to 25 1/2c ₩ lb.

Nothing else reported.

MARINE NEWS.

Port of New Orleans, Feb. 8, 1865.

CLEARED YESTERDAY.

[illegible]

ARRIVED YESTERDAY.

Steamship Geo. Cromwell, Vaill, from New York, 28th [illegible] A. Moulton.

Steamship Guiding Star, Knapp, from New York, 28th [illegible]

Bark New York, Hooper, 28 days from New York, [illegible]

Bark [illegible], Sparrow, 27 days from Boston, [illegible]

Brig Star of Faith, Freeman, 18 days from Philadelphia [illegible]

[illegible]

TOWBOAT REGISTER.

[illegible]

BELOW, COMING UP.

[illegible]

EXPORTS.

[illegible]

CONSIGNEES.

[illegible]

IMPORTS.

[illegible]

RECEIPTS FROM THE INTERIOR.

[illegible]

VARIETIES THEATRE.

Wednesday Evening, Feb. 8, 1865.

BENEFIT OF MARY GLADSTANE.

[illegible] LADY AUDLEY'S SECRET [illegible] HONEYMOON.

Wednesday, Feb. 8—GRAND MATINEE by the [illegible] MINSTRELS. Begin at 12 o'clock. [illegible]

FAIR

FOR THE BENEFIT OF THE HOLY CROSS ASYLUM.

The opening of this Fair is fixed for the 18th of April next, at the Opera House.

Wanted,

IMMEDIATELY, at No. 34 Gravier street, an experienced TURPENTINE DISTILLER. feb8 4t

DUPLEX ELLIPTIC SPRING SKIRTS—J. W. Bradley's Patent, will be for sale on and after February 1st, by

C. A. BARRIERE & BRO.,
120 Canal street, Touro Buildings, N. O.

DUPLEX ELLIPTIC SPRING SKIRTS—J. W. Bradley's Patent, for sale by

J. SYME & CO.,
No. 124 Canal street, New Orleans.

Malt! Malt!

1000 bushels Western prime Malt, just received and in store.

H. A. SCHUERMANNS,
Western Lager Beer agency. No. 86 Tchoupitoulas street.

Carpet Warehouse.

19........Chartres Street........19

WE have in store a large assortment of Carpeting, &c., such as—MEDALLION, VELVET and TAPESTRY; WELTON THREE-PLYS and INGRAIN; VENITIAN and other STAIR CARPETING, &c.; WHITE, RED-CHECKERED and Coco MATTING, FLOOR OIL CLOTH of various widths and qualities; Table and Piano Covers; Rugs, Mats, Stair Rods, Window Shades, Cornices and Bands; which we offer at moderate prices for cash.

A. BROUSSEAU & CO., Chartres st.

Shoe Store for Sale.

THE undersigned on the eve of departure, offers for sale at a reasonable price his SHOE STORE, at 198 Chartres street, together with all the fixtures, such as shelvings, show cases, counters, settees, sofas, &c.; also a Singer's sewing machine in excellent order. He is disposed to sell the whole in block or by the dozen, as will best suit the purchaser. Customers will find it to their advantage to call, as he will retail his shoes at cost price.

GREAT BARGAINS!

N. H. LAROSE,
184 Chartres street, between St. Ann and Madison streets.

DISEASES.

Dr. F. Vergé's Depurative, Pomatum, Injection and Powder.

ALL Secret Diseases, both old and recent, Gleets, Ulcerations, Sores, Eruptions, Carbuncles, Syphilis, [illegible] are radically cured by the use of Dr. F. Vergé's Medicines. The Depurative is especially recommended to persons whose blood is vitiated. Apply GAUDOZ, Druggist.

AUCTION SALES.

Furniture, Glassware, Platedware, Crockery, &c.

BY E. M. JACOBS, Auctioneer,
Office, No. 36 Exchange Alley.

WILL be sold on WEDNESDAY, February 8th 1865, at [illegible] A. M., at No. 36 Exchange Alley—A lot of FURNITURE, Glassware, Platedware, Crockery, &c.

Terms—Cash.

Valuable Vacant Lot in the Third District.

BY E. M. JACOBS, Auctioneer.
Office, No. 36 Exchange Alley.

WILL be sold on SATURDAY, [illegible] of February, [illegible] o'clock, M., at the Merchants and Auctioneers' Exchange, Royal street—A LOT OF GROUND situated in the Third District [illegible] Mandeville streets [illegible]

Terms cash.

SALE TO CLOSE A CONSIGNMENT.

LUMBER! LUMBER!
30,000 feet,

By S. GUINAULT, Auctioneer,
[illegible]

WILL be sold on FRIDAY, February [illegible] [illegible]

Sale at the risk of a former purchaser, Ambroise Dupre.

Valuable Property.

Succession of [illegible] No. 23.

BY J. B. CROZAT, Auctioneer.

[illegible]

Succession of Louis M. Douvillier.

Second District Court of New Orleans.—No. [illegible]

BY E. M. JACOBS, Auctioneer.

[illegible]

Succession of Angele Latour, wife of Theodule Ducoing.

BY S. GUINAULT, Auctioneer.

[illegible]

Succession of Maria Meier or Meyer. No. 21,083.

Valuable property in the faubourg [illegible]

BY RENE GUTIERREZ, Auctioneer.

[illegible]

JUDICIAL SALES.

John R. Cay vs. August Cohen Delery.

THIRD DISTRICT COURT OF NEW ORLEANS.

[illegible]

A CERTAIN LOT OF GROUND situated and being [illegible]

Terms—Cash on the spot in U. S. Treasury notes.

ALFRED SHAW, Sheriff of the Parish of Orleans.

feb8 16 23 mh1 11

William Baker vs. Francis Michonard.

SIXTH DISTRICT COURT OF NEW ORLEANS, No. [illegible]

[illegible] SATURDAY, the eleventh day of March 1865, at [illegible] o'clock M., the following described property, viz:—THE HALF OF ONE LOT OF GROUND situated in the Third District of this city, in the square [illegible] Marigny [illegible]

Terms—Cash on the spot, in U. S. Treasury notes.

ALFRED SHAW, Sheriff of the Parish of Orleans.

feb8 16 23 mh1 11

Succession of Antoine Chalaire, Sr.

Sheriff's Sale to operate a Partition.

BY virtue of an order of sale to me directed by the Honorable Second Judicial District Court sitting in and for the Parish of St. Bernard, bearing date the 6th of February 1865, I will expose for sale at public auction, at the Courthouse of said Parish, on SATURDAY, March 11th, at 12 o'clock M.:

A LOT OF GROUND situated in the Parish of St. Bernard, at about four miles from the river Mississippi, measuring about ninety feet front to the right bank of Bayou aux Boeufs, by forty arpents in depth, bounded on the upper line by the property of the late Aurélie Conant, and on the lower line by that of Louis de St. Germain, with all the buildings and improvements thereon.

The conditions of the sale are such that whoever purchases the said above described lot of ground will not take possession of it until the 1st of January 1866.

Term.—Cash, payable on the spot.

Sheriff's office, Parish of St. Bernard, Feb. 6, 1865.

J. M. SERPAS, Sheriff.

feb8 4t in 1 m

Coffee-house for Sale.

ON ACCOUNT OF DEPARTURE.

THE contents of the LOUISIANA EXCHANGE, on Exchange Alley, corner Conti street, will be sold at private sale, either in block, with the fixtures or in lots to suit. It will be sold at auction on the 10th of FEBRUARY, if not sold before that time at private sale. For terms, apply on the premises.

Bacon and Flour!

[illegible] CHOICE BACON SHOULDERS, [illegible] and EXTRA FLOUR. [illegible] & VANHORN, Corner Poydras and Magazine streets.

Choice Teas.

[illegible] CHESTS Extra fine Gunpowder, [illegible] Imperial, [illegible] Oolong, [illegible] E. S. KEEP, 77 and 79 Poydras street.

Wanted,

[illegible] COMPETENT PERSON, a situation as Collector or Out-door Clerk. Good references will be given. [illegible] A. R., at Bee office.

Home Mutual Insurance Company OF NEW ORLEANS.

Thirteenth Annual Statement.

THE following statement of the affairs of this Company is published in conformity with the requirements of their Charter, viz:

[illegible]

N. O. Mutual Insurance Company OF NEW ORLEANS.

FIFTH ANNUAL STATEMENT.

IN conformity with the requirements of the charter the Company publish the following statement:

[illegible]

STATE OF LOUISIANA.

[illegible]

Office of the Sun Mutual Insurance Company OF NEW ORLEANS.

NINTH ANNUAL STATEMENT.

For the Year ending December 31, 1864.

[illegible]

The above statement is a true and correct transcript from the books of the company.

THOMAS SLOO, President.
JAS. EDWARDS, Secretary.

STATE OF LOUISIANA.

Parish of Orleans, City of New Orleans.

Sworn to and subscribed before me, this eighth day of January, 1865. SAMUEL MYERS, Second Justice of the Peace in and for Parish of Orleans.

The interest of SIX PER CENT. on the Outstanding Certificates of Profits will be paid on and after the 10th day of February next.

THOMAS SLOO, President.
JNO. G. GAINES, Vice-President.
JAMES EDWARDS, Secretary.

—Directors—

Jas. D. Denegre, E. J. Hart, Jno. C. Rice, H. Renshaw, J. H. Stauffer, John G. Gaines, Sumpter Turner, H. F. Baldwin, E. Blanc, J. B. Bres, Thos. Sloo.

THE LOUISIANA MUTUAL INSURANCE COMPANY have removed from the corner of Camp and Natchez to the corner of Camp and Gravier streets, where Fire, Marine and River Insurance can be effected on the most favorable terms.

TRUSTEES.

Chas. Briggs, A. Carriere, O. A. Fredick, Mason Pilcher, F. Cramer, D. Dupasseur, Geo. Labric, J. Vivers Jr., J. Ave, E. Bicard, J. S. Mannsell, P. Anderson, F. A. Lumsg, A. E. Montgomery, Wm. Pierce, Alfred Kearny, A. Fiernes, O. Fresperich, O. W. Hynson, [illegible], N. M. Benachi, A. P. Nelson, O. W. Dunbar, H. J. Ware, Jas. Jackson, F. W. Schonfeld, Arch. Montgomery, F. Marquez, Alf. Dubroca, C. O. Trenhert, W. C. Watts, O. W. Cowes, Chas. Weisbaar.

CHARLES BRIGGS—President.
ANTOINE CARRIERE—Vice-President.
J. P. ROUX—Secretary.

Office of the Louisiana Mutual Insurance Company,

CORNER OF CAMP AND GRAVIER STREETS.

AN election of Trustees, to serve for one year from the second Monday in March next, will be held at the Office of the Company on MONDAY, 20th of February, 1865, between the hours of 10 A. M. and 1 P. M.

J. P. ROUX, Secretary.

Office of New Orleans and Texas R. R. Company,

No. 15 Customhouse street, January 9th, 1865.

NOTICE is hereby given that an election for Directors of this Company for the ensuing year will be held at the Office on MONDAY, 13th February next.

J. J. HANNA, Vice-President.

Hope Insurance Co. of New Orleans,

Office, No. 109 Canal street.

NEW ORLEANS, December [illegible] 1864.

AT a general meeting of the Board of Directors held this day, it has been resolved that [illegible] after this date a return of TWENTY PER CENT. be made on premiums to parties insuring at this office.

The above return of 20 per cent. will be paid in cash this Company issuing no scrip.

A. LeBRETON, Secretary.

CITY HOSPITAL,

FOR SMALL POX, SCARLET FEVER, ETC.

By Dr. O. ANFOUX,

Elysian Fields street, between Josephine and Solidelle streets, Third District, New Orleans.

PHYSICIANS sending patients to the infirmary can continue to treat them without affecting the rules of this institution. All persons seeking admission must be recommended, or must deposit a sum of [illegible] dollars. For admission apply at the Infirmary, or at No. 15 Canal street.

Notice to State Tax Payers.

SECOND DISTRICT, CITY OF NEW ORLEANS.

[illegible] the undersigned will be opened daily [illegible] A. M. till 2 P. M. for the collection of all [illegible] taxes of the year 1864 and for [illegible] of licenses for the year 1865 which is to [illegible] without delay. The extension granted delinquents for payment of taxes of 1861, '62 and '63 expires on the 1st of March 1865.

[illegible], 8 St. Peter street, Pontalba's building.

V. GERODIAS, State Tax Collector, Second District.

feb7 30t

Mail Steamers to France Direct.

The General Transatlantic Company's New Line of First-Class Side-Wheel Steamships Between New York and Havre.

[illegible]

WASHINGTON [illegible]
LAFAYETTE [illegible]
EUROPE [illegible]
FRANCE [illegible]
NAPOLEON III [illegible]

[illegible]

Steam Weekly to Liverpool.

[illegible]

Louisiana State Mutual Insurance Company.

[illegible]

For Sale on Account of Departure.

[illegible]

To Rent.

[illegible]

House to Rent.

[illegible]

New York Mail Steamship Co's Line of Sidewheel Steamers to NEW YORK DIRECT.

[illegible]

LUMBER! LUMBER!

50,000 [illegible]

[illegible]

PIKE, LAPEYRE & BROTHER BANKERS,

DEALERS IN FOREIGN & DOMESTIC [illegible]

Office on Camp Street.

[illegible]

Notice.

[illegible]

DENTISTRY.

Dr. R. F. WRIGHT

[illegible]

REMOVAL.

J. A. CASADEVANT,

SURGEON DENTIST.

[illegible]

The Great Clairvoyant,

MADAME LA PLANCH.

[illegible]

DIVINATION!

PREDICTIONS!

[illegible] By MADAME [illegible] No. 95 [illegible] street.

O. PETITPAIN,

SHIPBROKER,

FORWARDING [illegible] At Matamoras.

ALFRED BOULIGNY,

Auctioneer.

[illegible]

Notice to the Public and to the Tax Payers.

[illegible]

COTTON [illegible]

1000 [illegible]

PONTCHARTRAIN RAIL ROAD,

[illegible]

Compagnie d'Assurance de l'Union de la Nouvelle Orléans

Septième État annuel [illegible]

[illegible]

Le susdit tableau est une copie exacte tirée des livres de la Compagnie.

[illegible]

J. M. Crawford, Secrétaire.

État de la Louisiane.

Paroisse d'Orléans, Ville de la Nouvelle-Orléans.

[illegible]

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