THE NEW ORLEANS DAILY BEE,
DUFOUR & LIMET, PUBLISHERS.
Office, No. 73 Chartres street.

TERMS OF THE BEE.

Terms of Subscription—Daily, per annum, in advance $16; half-yearly, $8; quarterly, $4.
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All Transient Advertisements must be paid for in advance.
All advertisements not marked for any number of insertions will be published six times.
All bills with regular advertisers shall be rendered monthly.

NEW ORLEANS:
FRIDAY MORNING, JULY 12, 1867.

NEW ORLEANS TRANSFER COMPANY.—The office of this company, lately established under the St. Charles Hotel, has been removed to the corner of Camp and Common streets, where orders to call for passengers and baggage in any part of the city, in time for the cars, boats, etc., will receive prompt attention. Parties living at the watering places can have articles forwarded to them by this company. See the advertisement.

Mr Harry Macarthy and Miss Lottie Estelle, so popular as artists with the New Orleans public, are, we are gratified to learn, to be shortly tendered by a number of our citizens a complimentary benefit at the National Theatre.

Major Wm. M. Robinson, of the New Orleans *Republican*, went as bearer of dispatches on the Wilderness.

THE CONCERT.—The Opera House was very well filled night before last, on the occasion of the Oliveira benefit, and we presume that a very fair sum was realized for the family of this distinguished violinist. The amateur artists who volunteered to appear on this occasion were enthusiastically received, and won hearty applause and many bouquets from this large audience. Mme. Fleury Urban sang splendidly and was encored. Mrs. Davis, Fernando and Meneye also sang well. The chorus rendered the grand chorus in *Faust* in fine style, and was loudly cheered. The concert seemed to give general satisfaction.

THE REQUIEM MASS FOR MAXIMILIAN.—The Cathedral was densely crowded yesterday morning at the celebration of the requiem mass for the late Emperor Maximilian of Mexico. The "French Benevolent Society," accompanying the officers and men of the Imperial Foreign Legion, entered the church, with the band in front of the Society and of the Legion, a sad plaintive dirge. The catafalque was composedly placed in the centre of the church, around which the banners and flags were held, while the followers of the Emperor rat in the adjoining pews. The ceremonies were very imposing and solemn.

THE COMING ELECTIONS.

We cannot quite agree with our Mobile contemporary in its remarks about those who have urged Registration upon our people. It is time that the Radicals have again broken the promise of fair dealing that they held out to us, but the time will come when the people will stand in much clearer light than the deceivers, and we now have the satisfaction of knowing that we did all in our power to avert the terrible calamity that seems about to come upon us. In registering as we have done we do not support any law, nor do we endorse any act of Congress. It is simply the use of the very last means left us by Congress to keep our State out of the hands of bad men. Because Congress is at present the control of our elections in the hands of a few men, who have the power to strike a balance of votes and erase as many names as they please, to fix the majority upon the party of their choice, is no reason for our failing to make an honest effort. It has the power and if it pleases to use it we cannot help ourselves, but at the same time we have the satisfaction of knowing that we cannot be made responsible, as we undoubtedly would have been had we refrained altogether, for the result of the coming elections. We cannot shut our eyes to the fact that the negro vote is much larger than the white, and that the ignorant blacks of Louisiana are to control its elections, to the exclusion of the wealth, the ability and statesmanship of the whites. But we did all in our power to avert this calamity, and when it comes we can point triumphantly to the record, and show upon whom the responsibility must rest. The returns received thus far show a white vote nearly equal to that of 1860, less the number disfranchised and refused Registration. We find that the negro vote far exceeds that of the whites, and, furthermore, that the number of blacks registered in the parishes heard from exceeds the entire number of adult male negroes in the whole State of Louisiana. How many times the country negroes are registered, or how many are registered in two or three parishes, we cannot tell, but it is very clear that there is something wrong in the number of negro voters reported on the registry lists thus far.

But for that we are not accountable. We have made our last effort and have again failed, and while we cannot feel that we have been wrong in making the effort, we hope that the Northern people may now make up their minds to have nothing more to do with Reconstruction. Let the Radicals conduct it in their own way. Let Congress enforce its measures without assistance or opposition, and by all means let us trust to no more promises or indemnities. If the South had been united this would have been the wisest course from the first, but it is not united. There is a faction still anxious for political honors and, preferment, large enough to answer for the South in Northern estimation, and to bring disgrace upon the Southern people. As these men cannot be checked it became necessary to try and control them. The only chance offered us was at the polls. There seemed to be a possibility of our getting a vote large enough to keep our State out of ignorant hands, and to guide the political trickesters, who would advocate Radicalism for the sake of office. The attempt was made, and it has proven a failure. Congress has defeated our last resource, and we can do nothing now but wait on the Radical plan of Reconstruction, without aiding or opposing. But we can not regret that we registered and exposed the gigantic fraud put upon our State.

The soldiers and officers of the Foreign Legion, from Mexico, whom we notice upon our streets present a fine soldierly appearance, and make a favorable impression on our citizens of their prowess in arms.

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OFFICE 73 CHARTRES STREET. NEW ORLEANS, FRIDAY MORNING, JULY 12, 1867. Vol. XXVII—New Series. Vol. XVII—Whole—14,179

CITY INTELLIGENCE.

Gone to Mexico.—Major Wm. M. Robinson of the *Republican*, left on the same vessel with Mrs. Juarez and suite—the United States revenue cutter Wilderness—as bearer of dispatches to Mexico.

Leave of Absence—Judge W. W. Howe, of the First District Court of New Orleans, has been granted leave of absence for three months from the 18th instant, by Lieut. Gov. Voorhies, with the approval of General Sheridan.

In Bankruptcy—The creditors of Mr. Jacob Barker and his bank, the Bank of Commerce, are notified by the United States Marshal to meet in the U. S. District Court room, on the 25th of July, before A. J. Hamilton, Register in Bankruptcy.

Maximilian in Memorium.—A grand mass was celebrated yesterday, in a very imposing manner, in the Catholic Cathedral of St. Louis, opposite Jackson Square, for the repose of the soul of Maximilian. Rev Father Chalons was the celebrant, and Rev. Fathers Coste and Verrefficiated as Deacons.

Every available apartment of the church, even the organ loft, was thronged with persons of both sexes, and the usual evidences of mourning draped the splendid interior of the capacious edifice. Numerous wax candles in candelabras, placed in figures of death heads and cross bones, illuminated the scene. Banners representing the five great powers of Europe were draped in mourning, together with others from charitable societies of this city, members of which filled the nave of the church. A number of officers of Maximilian's Foreign Legion stood around chief among the mourners.

The exercises were similar to those at the St. Mary's Church the day before, in the Fourth District. The distinguished cantatrice of this city, Mrs. Fleury Urban, contributed her splendid talents on the occasion. Her sweet voice was more than usually pathetic and unctious, and with the last cadence of the hymn she sang so divinely, many an eye moistened with tears at the memory of the unfortunate Emperor.

Board of Assistant Aldermen.—Adjourned meeting. Mr. Moore in the chair.

After some preliminary discussion as to whether, under the rules and order of adjournment last Tuesday, the subject of the extension of the Pontchartrain Railroad along the levee to Girod street could be considered, the chair, after argument, decided that the was the "next meeting," and the ordinance could be considered. An appeal being taken from this decision the opinion of the chair was sustained.

The ordinance originating in the Upper Board was then read, after which Mr. Higginbotham protested against the proceedings as illegal and seconded a motion from Mr. Pragne to lay the ordinance on the table. Lost. Yeas 9, nays 5, as follows: Messrs. Higginbotham, Pragne, Surgess, McCulloch and Sprecken.

Mr McCulloch moved to amend the ordinance by striking out the word "steam." Motion lost.

Mr Higginbotham move to strike out "steam engines" and insert "dummies."

Every possible parliamentary rose seems to be resorted to by the minority to defeat the ordinance, but the President overruled the motions or had his decisions sustained by the majority, the result of all which was that he ordered the ordinance to be read again, as for consideration on the previous question.

Mr. Pragne proposed amendments which the chair ruled out of order, and Mr. Pragne persisting in his motion to amend, the chair finally ordered the Sergeant-at-arms to arrest him. Mr. Pragne, however, after he said that he *would* represent his constituents if sent to jail for it, said he would leave, and was permitted to do so without the formality of arrest being enforced.

Mr Lurgee, in an excited manner, asked Mr. Montamat by what authority he was in the chair? Mr. Montamat replied that he was called to it by President Moore, and had the question of adoption of the ordinance put. It was carried by a vote of yeas to 1 nay. Mr. Pragne, and others of the minority, not voting, and Mr. Lurgee entering a verbal protest and leaving, followed by the other members of the minority. The ordinance thus passed concurred in on second reading, and it is contended by the friends of the ordinance without repeal, Mr. Pragne having changed his vote, for the purpose of moving reconsideration, and the motion having been made and failed to receive the requisite two-third votes.

The session up to his stage of the proceeding may be characterized as exceedingly stormy.

Mr Moore resumed the chair, and business proceeded merrily.

The ordinance in contract with Gamewell, Leonard & Co., for their new system of fire alarms for the use of the city was the order of the day for Tuesday.

Resolution of Upper Board, authorizing the Finance Committee to negotiate for the purchase of the St Louis Hotel, to be used for a courthouse, and purchase being authorized by the act of the Legislature, levying a mill tax for the purpose of erecting a courthouse, the committee to report at the next meeting. Concurred in unanimously on the second reading.

Resolution of Upper Board appropriating $500 for the support of various charitable institutions. Concurred in, with an amendment striking out the items of appropriation for the Orphan Boys Asylum.

Resolution of Upper Board prohibiting the Street Commissioner from causing any laborer to be employed in improving of the city, the cleaning and repairing of which has been let out by contract. Concurred in finally by a vote of 10 to 1.

The Board adjourned.

Burglary.—Mr. John Tallaferro keeps a barber shop at No. 11 St. Philip street, and resides with his family in the rear of the building. Yesterday his sleeping apartment was burglariously entered from the back of the house, and a gold watch and $140 stolen. From the manner in which the room was ransacked, Mr. Tallaferro is firmly of the opinion that the burglars applied chloroform to him and his wife, unknown to the things they would have awakened.

Equal Based Attempted.—Three colored men were arrested about 11 o'clock yesterday morning at the corner of Gravier and Common streets, which corner is close by the grave yard, with a coffin containing the body of a negro child a few days old. They had no certificate of burial, and when questioned by the police said that they belonged to the "Lavinia Star Society," and the society had undertaken to bury the child, the matter will be investigated.

Embezzlement.—Thomas Kleinpeter, who resides at No. 13 Front Levee street, was yesterday arraigned before Recorder Ahern, charged with having embezzled $150 entrusted to him by Arthur Keyes, No. 1 Thalia street. The deponent states in his affidavit that this amount was given to Kleinpeter for the purchase of merchandise for the use and benefit of deponent that Kleinpeter failed to carry out the instructions given by deponent, and now fails to account for the money entrusted to him, and wrongfully uses, conceals, or embezzles it. The accused was required to give bonds in $2500 to answer on the 15th inst.

Assault.—Wm Lacey was arraigned before Recorder Ahern, on three charges. First, of having assaulted Aiton Christmann with intent to murder, on the 29th ult., at No. 229 Dryades street; second, assault and battery, having Jacob Shuter, Third, with threatening Jos. Raperus. There were a large number of ladies who appeared to be interested in the case and were examined as ladies. The accused was sent before the First District Court on the first charge, bound over to keep the peace on the second, and released on the third.

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BY TELEGRAPH.

[To the New Orleans Bee.]

FROM WASHINGTON.

Supplemental Reconstruction Bill Passed the Senate.

Cholera at Fort Gibson.

The Surratt Trial.

FROM EUROPE.

From Southwest Pass.

Miscellaneous Matters.

Washington, July 11.—SENATE—Howard withdrew his amendment, which specified certain classes entitled to register, with the remark that "as there was a large share of judicial power left in the hands of the District Commanders, it would perhaps be as well to leave them to determine the matter."

The fourth section was amended by adding that "any person appointed by the District Commander may be removed by him."

Drake introduced an amendment demanding some additional guarantee preliminary to the admission of represent tives, but it was ruled out of order. Drake appealed from the chair decision, and pending the appeal, at 5 P. M. Buckalew offered his amendment making the vote for Congressmen cumulative, and giving each elector as many votes as there were congressional districts in the State and allowing the voters to vote for one candidate or divide them at pleasure. Ruled out of order.

The Senate continues in session and will probably not adjourn until a late hour.

HOUSE—After some unimportant business the concurrent resolution on adjournment was considered. Elaborate arguments in regard to impeachment ensued.

Finally Stevens moved the previous question on a resolution that the Judiciary Committee be ordered to report partially to the House this session. The demand for the previous question was not sustained.

Wilson moved that the committee be ordered to report next session and that they be allowed to print 1,000 copies of their report. He demanded the previous question, was sustained and the resolution passed. Sherman then moved to reconsider the matter and moved that the resolution lie on the table.

House adjourned to meet at 8 this P. M.

Internal Revenue receipts to day $769,000.

It is stated on good authority that Ottenberg's name goes to the Senate as Mexican Minister.

SENATE, P. M.—The supplemental Reconstruction bill passed.

The following is intended to relent Sergeant Dye's evidence that Mrs. Surratt spoke to him from the upper window.

Mrs F. E. Lambert sworn. The witness resided in this city. Resided here in April, 1865, on 387 street, between 4th and 5th streets, and the south side, the house fronting north. The witness remembered the night of the assassination. She resided on Friday night. Between 11 and 12 o'clock on that night the witness heard a voice from the street saying the President was shot. Witness immediately went to the front parlor and opened the window. Two soldiers were passing. Witness asked them what was the matter. One replied "President was shot in Ford's Theatre." The witnesses asked whether many soldiers were doing in town. She thought there might have been a not or some disturbance. They replied "We have been see a church light procession and are now returning to our camp at Camp Barry." It was dark and foggy. The witness saw the two men had on soldiers clothes and they said they were soldiers.

Jno. T. Holahan, who boarded at Surratt's and went North as detective, testified he purchased a hatchet marked "John H. Surratt" in Harlington.

Mrs Holahan, testifying regarding the evening of the assassination, says she left the house with Mrs Surratt to go to church, but returned. She adds, that she did not return to the parlor after she returned from the church with Mrs. Surratt. It was about 9 o'clock, or a quarter past, when they went out. Mrs. Surratt was called on the street by a man, and she went to him.

Eliza Hawkins testified, contradicts the testimony of Susan Jackson, who swore that Surratt took supper at her home on the night of the 14th.

A letter from Fort Gibson July 1st, reports the cholera prevailing there, and 20 cases occurred. The soldiers stationed there are unaffected.

Washington, July 11—Gen Jas. S. Rawlins, U. S. A., has resigned his staff appointment, one of the posts on the plains and across the continent. He passed through Kansas, Nebraska, Canada, Montana, Utah Idaho, Oregon, Washington, California, Arizona and Nevada, returning via Panama. He rejoiced favorably of the country generally, but represents the accounts of Indian troubles as greatly exaggerated.

Washington, July 11—Gen Sturm, Agent of the Mexican Republic is in this city.

It is said on the street that Gov. Flanders, who is here, is among the applicants for the Mexican Mission.

The House referred the Senate bill to the Reconstruction Committee.

Col. Dull was before the Judiciary Committee and questioned regarding alterations therein on the way of exchange of prisoners by the Federal Generals.

The defense in the Surratt case is attracting increased attention. It is generally regarded that the prosecution is broken down already. The fate of the prisoner, however, is not the chief point of interest. The public is watching with intense anxiety the collateral question of Mrs Surratt's guilt. Weichman is flatly contradicted regarding his own conversation on the breakfast table. The court, on motion of the prosecution will not allow witnesses to contradict Dr. Mudd's testimony in regard to alleged speech. It is shown that Weichman was more intimate than any one in the house with Atzerodt.

New York, July 11—Money extremely easy but more active; call loans on Government 4 per cent; on mixed collaterals 5 to 6, at the close large balances were offered at 3; prime discount 6 to 7. Gold closed at 139½. Government firm at the close with a good demand. Stocks heavy and lower.

New York, July 11.—Stocks fell off a little from the high prices of the day. Money 6 per cent. Gold 139½@139¾. 5-20s of '62, coupons, 112 to 112¼.

The steamship Arizona brings $700,000 in treasure.

New York, July 11.—Cotton sales 900 bales middling uplands at 28c. Flour—State $7 to $11 20. Southern $9 40 to $16. Wheat—new Georgia $3. Corn 1 to 2c lower. Mess Pork $28 25. Lard 15c. Freights steady. Cotton to Liverpool per steamer 3 16d.

Richmond, July 11.—A telegram to the *Whig* from Lynchburg says a general meeting of the stockholders of the Va and Tenn. R. R. was held there today. The meeting split in two, one assemblage passing resolutions denouncing consolidation with the South Side and Norfolk road, and the other adopting resolutions protesting against any illegal measures being taken to defeat consolidation.

The consolidation meeting represented near 4,000 shares.

A Republican meeting was held in the Square this evening, and addressed by Dr. Ker. Long, who mentioned the negroes against insisting upon social equality. Mr. Danver also spoke.

Memphis, July 11.—Cotton quiet; sales 40 bales; Middlings 22¾c.

Savannah, July 11.—Cotton quiet; price nominal. Middling 23c; sales 155 bales. Receipts 196.

First District Court.—Judge Howe.—The District Attorney yesterday morning filed informations against the following parties:

Mary Johnson, colored, for stealing $25 worth of clothing from Sarah Williams, colored.

Nichol Brignardello, for stabbing Vincente Benvenute, with intent to murder.

W. O. Bandermann and B Mancini, for cruelly beating a horse, the property of W. N. Rogers.

Joachim Potter and William Moore, for the larceny of 3000 pounds of cast iron, the property of the city.

Jenny Carter, colored, for stealing $38 from Wm. Lloyd

William Porcell, for assaulting Margaret Hogan, a girl eight years of age, with intent to commit rape.

John Crawford, colored, for assaulting Edward Ryan, a police officer, as said officer was executing a process of court.

Sandy Barney, for stealing fifty dollars from Elizabeth Kelly.

Violet Clark, colored, for stealing articles valued at thirty six dollars, the property of B. M. Pond.

James Mason, colored, for stealing a ring worth twenty dollars, from Ann Walker, colored.

Henry Williams, colored, for stealing jewelry, etc., valued at eighteen dollars, from Sarah Jefferson, colored.

On motion of the District Attorney, the charges against Philip Keilly of stealing a box of cheese from the freight of the steamboat Olive Branch; Julius Wells and Frank Brown, colored, of having in their possession, feloniously, property stolen from Mr. Lee's house on the night of the 24th May last, and Louis Fardore of stealing a bam, were dismissed.

Dominion day was celebrated in various parts of Canada on the 1st of July. At Halifax, however, it is stated that two papers came out in mourning, half the shops were open, some flags were at half mast, and the Scotch and Irish societies refused to participate in the ceremonies. This would seem to indicate a reaction.

It is a source of regret that many of our most substantial and industrious planters seriously contemplate leaving the South and seeking homes in foreign climes. British Honduras is attracting a good deal of attention, and nearly every steamer from New Orleans is crowded with passengers, who are going out to examine the country for themselves.

The vote of the people of Maine on the adoption of the constitutional amendment imposing more stringent restrictions on the liquor traffic, as officially returned, is as follows: For, 19,357; against, 5,326.

In New York, on the Fourth of July, shooting with firearms was prohibited strictly; the commencement of the sale of the ingredients of life on that day. Crackers and whisky were the principal ingredients of legal amusement.

Liverpool, July 11—Evening.—Cotton irregular; Middling Uplands 10¼d.; Orleans 10¾d.; sales 10,000 bales.

Vienna, July 11.—A bill making ministers responsible to the Legislature was laid before the Reichsrath and adopted to-day. It is now a law of the Empire.

Berlin, July 11.—The Zolverein voted to continue in force the customs treaties made in connection with the old Zolverein before the late war.

Paris, July 11.—The Sultan left to-day for England.

Berlin, July 11.—Orders have been sent out recalling the Ambassadors of Prussia at the City of Mexico.

London, July 11.—It is said that an extensive conspiracy against Queen Isabel of Spain has been discovered and over two thousand persons arrested.

Florence, July 11.—Garibaldi has issued a manifesto declaring that himself, sons and friends will fight for the liberty of Rome.

London, July 11.—The authenticity of the Russian note to its Ministers at Washington, London and Paris is doubted here.

Specie in the Bank of England, £22,521,000.

London, July 11—2 P. M.—Consols 91 3-16.

Liverpool, July 11—2 P. M.—Cotton declined 1-16.

Southwest Pass, July 11, 6 P. M.—Cloudy Wind east Steamship Lillian went to sea at 3 P. M.

[Previous Dispatches.]

Southwest Pass, July 11.—Fine weather; dead calm. Barometer 29.90. Arrived down and went to sea. French corvette Pelegeolin, bound to Vera Cruz. She drew eighteen feet six inches.

Went to sea last night, U. S. revenue cutter Wilderness, Freeman bound for Vera Cruz, with two bearers of dispatches from the United States Government, and the family of President Juarez.

Went up in tow, bark Ella Wood, Cooper.

Washington, July 11.—Conn interest has been paid on bonds of 1857 (8), bonds of 1861, and 5-20s of recent issue, amounting to $18,000,000. $6,000,000 in currency on 7-30s falls due on the 15th inst.

No further coin interest will be due until November, except four and a half millions on fortties, due September 1st.

Interest on compound interest notes, amounting to $11,000,000 currency falls due in July, August, October and December.

The Treasury holds $1,000,000 in coin and $20,000,000 in coin certificates.

The reciprocity treaty between the United States and Hawaiian Islands will be sent to the Senate for ratification to-day.

Delano will shortly make a full annual report on Indian affairs, in which thirteen soldiers were killed.

London, July 11.—The Russian cabinet has issued a circular to its diplomats in France, England and the United States, urging a joint inquiry into the condition of Ireland.

The Spanish Government has seized Cadiz, Orleans and the parties were under the jurisdiction of the United States, and that the consular officers of the United States in Spain, in accordance was void both by the laws of the State of Louisiana and of the United States.

The assignment of notes made by Rogerley & Co in fraud of defendant's rights, and that plaintiff had notice of that fact.

The demurrer being overruled by the court below, the suit was dismissed. Hence this appeal.

The first point decided by the appellate court is in favor of the assignee of the notes, Rogerley & Co. having possession of the notes, with the blank endorsement of Jones, were presumed to be the owners, and had full power to dispose of them at discretion and ordinarily the bona fide purchaser of a bill or note, will not be affected by any violation of trust or fraud evidenced on the part of the agent of which he has no knowledge. With ref rence to the allegation of fraud the court say, "Jones endorsed the notes, and if plaintiff did not purchase the bills until after the fall of the city of New Orleans, and this is relied on as a defense, it is clear that the notes were under such circumstances was one of an illegal character as the law adjudges to be fraudulent, without reference to the motive and intention of the parties as it cannot be proved to have found on demurrer to the bill. But of itself, it would not be evidence of fraud at all. If Rogerley & Co. purchased the notes in the usual course and bought in good faith, all which is averred in the bill and admitted by the demurrer, it is a good defense against the defendant in the transaction. If the agents of Mr. Jones acted unwisely or faithlessly, that would not be a good defense against him, who is not guilty of some fraudulent conduct himself. And this we are asked to presume, in opposition to the averments of the bill, which, in this pro ceeding, we are bound to take as true.

With reference to the invalidity of the consideration—the main point in the case, the court say: "It is not to be denied that the decisions of the Supreme Court of the United States, under the Federal Constitution and laws. It is the same in every State in the Union, and we think it very questionable whether it is not a violation of the oath we are bound to receive the law at the hands of the Courts of another State, even in regard to matters within its limits. On this point the Court apply the case of Marion vs. Silk "Peters 1, and Martin vs. Waddell 16 Peters 367."

The Court then concludes in these words: "It is decided in the case of Hill vs Haylan at the present term, that according to the repeated decisions of the Supreme Court of the United States during the continuance of the late civil war, at least so much of it as lay on the South of the line of military occupation by the forces of the United States and the Confederate States, not entitled to invoke the protection of its Constitution and laws.

And in the case of Mrs Alexander, it was adjudged that these enemy relations continued until by the action of the Legislature and the Executive or otherwise, it became known that the rebellion had ceased, and the latter case it was further held that the occupation of this country by Banks and his army was not such as to make it, in fact, a part of the United States, or to confer on the people of this country the rights and privileges of citizens of the United States during the war. They had been expatriated and were kept out by the same means; and the people were subjected to new laws and new policy, to which they had no option but to submit. The use of the courts established by the military absolute despotism, for the protection, for without it they could neither live in the Confederacy nor make their escape from it, and the right to collect means of procuring food and clothing, and to hold that in giving or receiving it, the people, in their situation, were guilty of no offence against the government, for which all their contracts are to be held null and void, would be a refinement of cruelty, unworthy a civilized nation, or an enlightened age.

After showing that this transaction took place in New Orleans, while Gen. Butler performed administered the circulation of Confederate currency to continue, the Court go on to show by repeated decisions of the Supreme Court of the United States, viz: In the case of the Circassian 2 Wallace, 135, and the Venice 2 Wallace, 258, that on the 3d of May, 1862, New Orleans was assigned territory to the United States, that its inhabitants were enemies, that they were not entitled to the protection of the Constitution and laws of the United States, that the Court of Appeals, and that therefore their own municipal laws remained in force, as they did immediately before the conquest, except so far as they had been abolished or changed by the conqueror."

It being contended by the defendant that the transaction was void because Louisiana, is to be governed by the laws of that State, and that by those laws it is an illegal and void contract, and must be held void in this court, the court say: "We do not deem it necessary to decide the question, whether the transaction was void by the local law of Louisiana. It involves only a question of the public policy of the United States, and of the Federal Constitution and laws. It is the same in every State in the Union, and we think it very questionable whether it is not a violation of the oath we are bound to receive the law at the hands of the Courts of another State, even in regard to matters within its limits. On this point the Court apply the case of Marion vs. Silk "Peters 1, and Martin vs. Waddell 16 Peters 367."

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That the confederate powers of the Government of the United States were independent.

Its acts and laws were valid and binding.

The conclusion that all persons residing within the States declared by the President to be in a State of insurrection, are enemies of the United States, not entitled to invoke the protection of its Constitution and laws.

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