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Semi-Weekly Edition.
TERMS—PER YEAR.....$5

NEW ORLEANS:
FRIDAY MORNING, NOV. 5, 1869.

TRY GEORGE ALCES' CIGARS,
185.....Rampart Street.....185

Amusements This Evening.

ST. CHARLES THEATRE.—Benefit of Mr. John C. Rice—"Collen Bawn, or the Brides of Garryowen."
VARIETIES THEATRE.—Benefit of Miss Johnson—"School for Scandal."
ACADEMY OF MUSIC.—"Don Cesar de Bazan," and "Black Eyed Susan."

LAWFUL MONEY OF THE UNITED STATES. WHAT IS IT?

The Supreme Court of the United States in deciding, the other day, as to the validity of the contracts made within the Confederate States during the war, with Confederate currency as a consideration, took care to use very precise language when they said that such obligations were not payable in "lawful money of the United States." The Court never says the debt may be paid in *legal tender currency, or good sucks or gold and silver*, but it repeatedly uses the words "lawful money of the United States," leaving us to decide for ourselves what that is. Now, be it observed, Congress in enacting what is known as the legal tender act and authorizing the issue of the greenback currency, did not make the *value* of the various denominations of bills. The law does not say we must accept a hundred dollar bill as the equal of a hundred dollars in specie, or a ten dollar bill as the equal of ten dollars in specie. It says the Treasury notes of the United States shall be a legal tender for debts, but it nowhere says that the holder of a promissory note or other obligation drawn previous to the passage of the legal tender law, shall accept the same amount for which that obligation calls, as there was for which that obligation calls, as there Treasury notes call for, that is, it does not require the holder of an obligation for ten thousand dollars to give an acquittance to his debtor on the payment of ten thousand dollars in greenbacks. Nothing of the kind. It leaves the parties to place their own value on the greenbacks. Now the coinage laws of the United States all fix the value of the various coins issuing from the mint. They provide that the twenty dollar gold piece shall be estimated at the sum of twenty dollars and shall be received for that sum; that the ten dollar piece shall be received as ten dollars, the five dollar piece as five dollars, and so on. The "dollar," then as now, had a legal signification and contained so much silver. Every coin stamped at the mint, contained by law so much gold and so much silver, the precise weight of each being expressed in the law. Up to 1861, the only "lawful money of the United States," every body knows, was the coin of the United States and nothing else. The Constitution gave Congress no power to make money out of anything but gold and silver, and the Republican leaders have never pretended that the issue of paper money could have been justified except as a war measure and only during war. The author of the legal tender act—Hon E. G. Spaulding, of Buffalo—states in a letter to Mr Secretary McCulloch of December 9, 1868, which is now before us, as follows:

"I introduced the legal-tender bill early in January, 1862, immediately after the suspension of specie payments. In this great crisis I advocated the bill as a *war measure—a measure of temporary relief* to the Treasury; and, on the ground that it was an *imperative necessity to preserve the life of the nation*. I conceded it was a forced loan and could only be justified on grounds of necessity. *As a war measure passed during war, continuously during the war, and* [illegible] I believe it was necessary and proper, successfully to carry on the war, and was therefore constitutional. I am ready to say that, as a *peace measure*, it is unconstitutional.

The law has been continued in force so long after the close of the war, that, with any real necessity for it, that I should not be much surprised if the Court should now declare it unconstitutional."

No better evidence of the intention of Congress in passing the legal-tender act could be adduced than this, and probably no better indication of the views of the Supreme Court on the question, could be given than this letter of Mr. Spaulding. It follows from the facts we have stated and from the law, that the only "lawful money of the United States" in a constitutional sense, is gold and silver, and that the Supreme Court in using these words meant gold and silver. The court has been very carefully give no countenance to the idea of the constitutionality of the greenback currency. In no decision have they ever said it was lawful money or must be accepted dollar for dollar. On the contrary, they have indicated their views as being the reverse of that. No one has ever been compelled by judgment of that court to receive in that currency, payment of a debt contracted before the greenback act was passed. We are authorized to infer from a judgment delivered at the last term of the court that their opinion is, no one is bound to receive greenbacks. One Brenson held an obligation dated in 1857 for $1400, stated on its face to be payable in gold and silver. His creditor offered him in 1865 the amount in greenback currency. It was refused. The amount was deposited in bank by the debtor to Brenson's credit, and the debtor sued in the New York courts to compel him to relinquish the evidence of the debt. The case went up to the Supreme Court of the United States. They refused to compel him to receive greenbacks.

All obligations entered into before the passage of the legal tender act of 1862, for the payment of money, were coin contracts whether coin was specified or not. It follows that no one can be compelled to receive legal tender note or greenbacks, dollar for dollar. Perhaps they may be compelled to receive them at their value, but we cannot think so, because there is no means of fixing their value. It is imaginary. Holders of Confederate obligations are called to demand full payment in "lawful money of the United States." We believe that to be clearly and in only.

Opera House—Opening Night.

We are greatly pleased to have a favorable report to make of the performance last night at the Opera House, and to be able to say that the commendations of the leading artists of Mr. Calabrese's troupe are likely to be justified.

The house was crammed, probably sixteen hundred persons being within the walls. A marked tribute was paid to the able leader of the orchestra and manager of the theatre, when he took his seat to direct the overture. This was of course intended to mark the public appreciation of his talents as a manager, and his successful labors in Europe to bring together a troupe worthy of our musical people.

The verdict of the audience was that Dumesre is a veritable baryitone and a capital actor. He has taken complete possession of our musical public. No mistake about him. He is bound to be a general favorite. His voice is remarkably flexible. It is not deficient in compass.

Mr. Mobini, the tenor, was pronounced to be a singer in every sense of the word. At first the impression was not quite favorable, but as the opera proceeded he re-established himself, and was most heartily applauded in the fourth act.

Mr Depassio, the basso, we can safely say is a very good artist.

Miss Dupuy, Miss Arnal, and Madame Du [illegible] performed their several roles acceptably. At the late hour at which we write it is impossible to do these superior artists justice. We must defer our comments on a succeeding issue, merely remarking that Madame Dunesre has a very sweet voice, and bounded at once, like the popular barytone, into the good graces of the audience. Her merits are sure to make her a favorite.

There is a great improvement in the orchestra. We were within the mark when we say that the "Hugenots" last night was a fine performance.

DENTISTRY.—We invite the attention of our readers to the advertisement in another column of Dr N. P. Godfrey, dentist, who has just returned from a summer tour in Canada and the Northern States. He can be found at No 5 South street, next door west of the Rev. Dr. Palmer's Church. Dr. Godfrey is regarded as a competent dental surgeon.

A Swedish Ambassador to France, a famous dandy and warrior, on being presented to Louis XIV, entirely forgot his congratulatory address. Nobiliac declared, however, he boldly recreated the Lutheran Catechism, greatly to the consternation of his companions, but apparently to the edification of his Christian Majesty, who, not understanding a word of Swedish, listened with dignified attention and then suitably and courteously responded.

The New York *Times* tells us that "Henry Placide, one of the greatest favorites of the American stage, of whom more good has been said and writ and less evil than of any man perhaps in America, is now an invalid."

Washington Items.

THE PUBLICAL SITUATION.

A prominent Democrat, in conversation regarding the political situation, asserted publicly tonight that the Democratic party would continue its policy of opposition to the principles of the reconstruction acts in all future elections, adding that finally the Supreme Court would sustain them, and predicted that the next Presidential campaign will be narrowed down to a struggle over the legality of the fourteenth amendment. In extension, he declared that repudiationists, as well as anti-reconstructionists, would unite on such a platform, because the amendment, while prohibiting the payment of the rebel debt, guarantees the payment of the national debt, and opposition to it is, therefore, the national inclination of the great mass of the Democratic party.—*Washington Correspondence Philadelphia Press, Oct. 29th.*

JUDGE CHASE PROPOSES TO RECONSIDER THE WRIT OF HABEAS CORPUS.

In the Supreme Court, on Wednesday, Chief Justice Chase said, in reply to the suggestion of Mr. Phillips the day before, that it was undoubtedly a matter of discretion with the court when to move for a writ of *habeas corpus*. In the Yerger case, the point of jurisdiction having been determined, the Court would hear a motion for the writ whenever the counsel should see proper to make it.

UNITED STATES SUPREME COURT DECISIONS.

Washington, Oct. 29.—It is stated that upon the assembling of Congress a movement will be inaugurated modifying the powers of the Supreme Court to the extent of subjecting all its decisions affecting reconstruction to the revision of a special joint judiciary committee of Congress.

[The foregoing is too absurd to need denial. Congress may oust the Court of its jurisdiction, but will never dream of the project here attributed to it.]

The policy of the Government in the Yerger case seems to be to postpone the issue.

From the Parishes.

ST. CHARLES.—St. Charles rejoices in a rice mill which is thus spoken of by a country paper

The Perseverance Rice Mill of Steward and Kyle, pronounced by wise judges to be one of the best and most perfect in the State. It is three stories in height, with an engine of 60 horse power. A shaf of 72 feet in length, fitted with a perpetual propeller, carries the waste and chaff to the river. The mill is doing a flourishing business, and runs continually, day and night.

PLAQUEMINES.—The *Empire Parish*, of the 30th says:

The weather during the week has been cold and clear, and our rice planters have good reason to rejoice thereat, for better weather for threshing rice could not be desired, and judging from appearances our rice farmers have fully availed themselves of the advantages offered, I clearly all are busy threshing and preparing it for the mills. The mills are running day and night and large quantities of the new crop is being shipped to New Orleans, where, we are happy to say, it meets with a ready demand and sells at highly remunerative prices.

The demand for dry goods and groceries is unusually active. Our merchants have laid in very large stocks of both and have been amply rewarded by the splendid crop they have just made, planters, all feel cheerily.

The press the grinding season is opening, the sugar boys are all our planters. They have merely everything ready to commence sugar making. We have no doubt that hundreds of the starving and demoralized freedmen who are to be seen in the back streets of New Orleans on any bright day basking in the sun, alligator like, would soon be paid aboard wagons on board of our sugar estates, if willing to work during the grinding season.

Mr. Dickens and Education.

Mr. Charles Dickens, the great novelist, some time during the last of September, made a speech on education in Hounslow, England, at the opening of the winter session of the Midland Institute. It is an observation that provides the opportunity of education to laboring men in the etcetera. Each human one's lot in life. The instruction is elementary and all varied. The institution was established six years ago, and it has grown a market all year. It has some 2000 members or students. Half of them are artisans, on weekly wages, never 400 are clerks apprentices, tradesmen's redeemed sons. Many women attend. It offers all the advantages of a first class literary institution. It has a reading room, its library, chemical laboratory museum, art department, lecture hall and lecturer

MR DICKENS THUS SPEAKS OF WHAT THE INSTITUTE HAS ACCOMPLISHED:

Suppose that your institution should have effected no other good than to have shown that would be a very remarkable fact. Suppose, I mean, it should, so to speak, have educated itself, as it should, by sending forth numerous and efficient teachers to the people. Suppose the young student, treated exclusively in its laboratory, should be presently seized, for the lack factory of the great famous hospitals. Suppose that in time seven hundred students should have carried off a good deal of medical knowledge, prepared by the Society of Arts and Government Departments, needed with local prize origins into the greatest city of Birmingham, and. Suppose that the Town Council having it in their to find an activity well fit to receive the Whitworth prize, should find him here. Suppose that one of the industrial students should turn his chemical studies to the practical account of extracting gold from waste coal water, and of taking it into custody, to the very act of running a cab with hundreds of pounds down the town drains. Suppose an other should perceive in the books, in his study evening, that water mains with lead, lead pipes, and the lead in the lead, the defective furnace, and should go straight to the great national refining of the master—and put it right. Suppose another should pounce out the means, until then quite unknown, of making a certain description of coloured glass. Suppose another should qualify himself to vanquish, one by one, as they daily arise, all the little difficulties incident to his calling as an electrician, and should be supplied to by his companions in his shop in all energetic under the name of "Encyclopedia." [Laughter and applause.] Suppose a long procession of such cases, and then consider that these are only suppositions at all, but are plain, unvarnished facts—near, heart—colt nursing in the one special and significant fact that, without a single exception, every one of the institution's industrial students who have taken its prizes within ten years have since climbed to higher situations in their way of life. [Hear, hear!]

Mr. Dickens discusses with characteristic originality the reason why the laborer should seek education. We give his paragraphs:

To the student of your industrial classes generally, I have had it in my mind first, to commend the short motto in two words, "Courage, Perseverance." [Cheers.] Time the mentor of friend and worker. Not because the eyes of Europe are upon them, for I don't in the least believe it [laughter], nor because the eyes of England are upon them, for I don't in the least believe it, but because their duty will be proclaimed with blast of trumpet at great cost, for no such musical performance will take place [laughter]; nor because self improvement is at all certain to lead to worldly success, but simply because it is good and right of itself. [Hear, hear!], and because, being so, it does assuredly bring with it its own reward, and its own rewards.

He then says some very admirable things as to the extent of their studies.

I would further commend to them a very wise and witty piece of advice on the conduct of the understanding, which was given more than half a century ago by the Rev. Sidney Smith—wisest and wittiest of the friends I have lost. He says—and he is speaking, you will please understand, as I speak, to a school of volunteer students—he says: "There is a piece of foppery which is to be cautiously guarded against, the foppery of knowing all science and excelling in all arts—chemistry, mathematics, algebra, dancing, history, reasoning, riding, fencing, Low Dutch, High Dutch, and natural philosophy. [Laughter.] In short, the modern precept of education very often is: "Take the Admirable Crichton for your model; I would have you learned in nothing." Now I says he, "my advice, on the contrary, is to have the courage to be ignorant of a great num ber of things, in order that you may avoid the calamity of being ignorant of everything." [Laughter and cheers.]

He concludes with an explanation of what he conceives to be the secret of mastering knowledge, as well as of all success. And this part of his speech is none the less interesting from his clinching truth by claiming it as the rule of his own remarkable genius:

To this I would superadd a little truth which he did equally good of my own life and the life of every eminent man I have ever known. The one serviceable, safe, certain, remunerative, attainable quality in every study and in every pursuit, is the quality of attention. My own invention of imagination, such as it is, I can most truthfully assure you, would never have served me as it has for the habits of concentration, patient, daily, toiling, drudging attention. Genius, vivacity, quickness of penetration, brilliancy in association of ideas, such mental quality, like the qualities of the action of the externally armed head in Macbeth, will not be commanded, but attention, after the term of submissive service, always will. Like certain plants which the poorest peasant may grow in the poorest soil, it can be cultivated by any one, and it is certain, in its own good season, to bring forth flowers and fruit. I can most truthfully assure you, by the by, that this religium on attention is so far quite disinterested on my part, as that it has not the least reference whatever to the attention with which you have honored me. [Laughter]

It was on this occasion that he made the following remark, which has been telegraphed, reproduced and commented upon by the whole press of this country and England:

"In reference to the appropriate and excellent remarks of Mr. Dixon, I will now disclose my conscience of my political creed, which is contained in two articles, and has no reference to any party or persons. My faith in the people governing is, on the whole, infinitesimal; my faith in the people governed is on the whole illimitable." [Cheers]

When Dana thought he could get ahead of Mayor Hall, he was a victim of Hall ucination. Oakey came out O. K. and Dana damaged. By the way, isn't it about time for Dana to stop personalities! He may get into trouble one of those days if he doesn't.

Three consecutive decisions in the Massachusetts Courts in the same case seem to make the law pretty clear, that if the owner of a horse with the glanders permits him to range so as to infect other horses, the owner of the deceased horse is liable for the damage that may ensue.

A life of Daniel Webster, it is said, is proposed, or rather is already under way. The biographer is George Ticknor Curtis, whose "History of the Constitution of the United States" gave him celebrity, and who was encouraged and assisted in this work by the great Constitutional Expounder himself.

Gen. Lovell, who figured conspicuously in New Orleans about the time of Gen. Butler's arrival there, is in Montgomery, Ala.

CITY INTELLIGENCE.

Suit for Attorney's Fees.—In the Fourth District Court, A. P. Field, Esq., has sued M. Kornberger on a note given in part payment of his fee, and the latter has filed an answer to the following effect:

"On the 30th of November, 1868, the defendant contracted with Mr. Field, who engaged his services for the sum of $250 to prosecute or assist in the prosecution of William Blevins. One hundred and fifty dollars were paid the lawyer, and the note sued on was given to secure the payment of the balance due. The defendant says the lawyer failed to comply with his contract; failed to convict the accused, or to do all he could to that end and in fact abandoned the case."

Under the "Intrusion Act."—Under this act, A. Hero, Jr., as relator, seeks to oust W. J. Castell from the office of City Notary, upon the usual allegation of intrusion into an office which relator claims he alone is entitled to hold. The suit is in the Fifth District Court.

In the Seventh District Court, a like suit has been brought by W. Scouler against Gustave Boldizzy, Fleur Inspector. It appears that Scouler had been appointed and displaced by some compromised to which he was not a party. The question was whether evidence was admissible to prove the error of the Governor, which Judge Collens decided in the negative.

The Metropolitan Warrants.—The rule taken upon the Treasurer of the Board of Metropolitan Police, S. N. Burbank, to show cause, yesterday, why he should not be punished for contempt, in refusing to obey the order of the court, embodied in the famous writs peremptory by Judge Cooley, touching the payment of certain holders of Metropolitan warrants, was discontinued, at the opening of the court, by consent of all parties concerned.

In the Fifth District Court, Mr. Felout, the attorney for the Board, prayed for and obtained a *supervisory* appeal to the Supreme Court from judgment of the court in the suits of T. Eaton and Alcide Will, holders of Metropolitan Warrants vs. S. N. Burbank. Judge Cooley, it will be remembered, refused to grant appeals in similar cases and a mandamus to compel him to do so has been applied for before Supreme Court.

These proceedings indicate that these troubles will be settled, and that all parties holding bonds or warrants will be paid in full.

Messrs. Hughes and Dejean have completed the sinkhole for which they sued, about $2,000, for warrants held by members of the police.

Attempts at Suicide.—We hear of two recent attempts to commit suicide, one Tuesday by a gentleman of respectable family connections, an office holder, and the other more recently by a gentleman who was taken to the Third Station. The attempt in the first instance was quite serious and may result fatally, as the party cut himself through the mouth. In the other, we hear, the attempt was not serious. As such things are of but little interest to the general public, we refrain from giving names, at least at present.

Cockfight Delicious.—John Folger, a stock drover, has been arrested charged with driving a bull so cruelly that a child was run over by the animal and injured—not seriously, however.

Felonious Damage.—Charles Davis was arrested, charged with attempting to pick the pockets of Mrs Julia Guigneron, while she was at the corner of Bienville and Bourbon. She had $120 in her possession at the time. A person, and ladies particularly should exercise more than ordinary caution when in such crowds as probably turn up in this city.

About $50 worth of clothes were at law Wednesday evening by some unknown party, from the premises of M. A. West, corner of Royal and St. Peter streets.

Attempted Robbery.—Louis Sabat has been arrested on complaint of Lucy attempted to rob the premises of Mrs. Lucy, corner of Tivoli and St. Ann streets, some time ago, and not once what woman's good name might end at. He was held for future examination before Recorder Clemens.

Stabbing Affray.—About 7 o'clock Tuesday morning a difficulty occurred near the Jackson Railroad Depot, between John Hayes and Patrick Ryan, both employed on the Road, in which the latter was severely cut and stabbed in the left side. It appears that the difficulty arose about a dog. Ryan's dog, which they were carrying with them, escaped and it, it seems, made the cause of quarrel. The wounded man was taken to his residence on Fifteenth street and a physician called in, but he was last succeeded in escaping.

The Alleged Fugitive.—In the case of Augustus Bernard, charged with fraudulently obtaining money by representing himself as an officer of the Federal Signal Service, and who, by a dispatch from the prisoner, received Wednesday, recommended the discharge of the accused. Mr. Bernard and allegedly furnished bonds for his appearance.

Re-elected Bailiff.—John Leary was peculiarly gratified yesterday on the occasion of his re-election to the office of Bailiff in Case No. 2. A colored woman named Harriet Cuney, near Toulouse street, and entered her into a domestic Matin, only time yesterday.

The particulars of the affair are known sufficiently to the public. The mother of the girl sued in pleadings, in the belief that in actual fact the child was sold to her. Yesterday, in court, her first trial, Leary was the tools the case was continued until the origin next Friday.

The Pennsylvania Election.

The Philadelphia *Age* thus speaks of the result:

We have lost it, but we are far from faint hearted. The fact that a State which gave a Radical majority of 17,000 in 1866, and 10,000 in 1868 gave last year but one majority, and now returns a majority of 1,000 in the face of the most energetic effort of the Radical party, and succeeded in the teeth of a law enacted, and promulgated by a corrupt party judiciary, shows that the Radical party can not prohibit its political adversaries from ever coming in a campaign, as it was impossible to suppose that a party could reject the exponent of its creed when the administration of the law was placed in the hands of men known to be their political enemies. The cause was in itself abundantly good, the ticket was indeed worthy of the cause. The time of action is not confined to the campaign alone. Go back into the years of the past, and it will be found that the energies have been increasingly directed to this end—the political enlightenment of its citizens. The law which compelled the closing of the polls at six o'clock, was passed by the Radicals, for they knew full well that our last laboring vote was never polled until after that hour, when the men were dismissed from their work