FRANCE.

The New Cabinet of M. De Broglie.

THE GREAT DUEL.

THE CONDITION OF TRADE.

PARIS, Dec. 4, 1873.

The new French Cabinet will probably not have gone to pieces yet by the time this reaches New York, so a short account of its members and a glimpse at the policy which they mean to inaugurate may be acceptable to the American reader. I should premise by saying that the present administration is certainly destined to face very stormy weather, and if it brave out the gales which are already beginning to blow on it from all points of the compass it will leave a memorable name in contemporary history. If, on the other hand, it succumbs in its self-imposed task of stemming the tide of republicanism—if, after battling rashly for a little, it be swept away by the torrent which it has endeavored to check, it will yet deserve to be remembered, just as we remember Mrs. Partington, who attempted to brush back the waves of the sea with her broom, and that other adventurous spirit who sought to stop the flow of the Mississippi with the bottom of his wig, and who, it appears, has not yet succeeded.

THE NAMES OF THE MINISTERS

are the Duke de Broglie, Prime Minister and Minister for the Interior; Duke Decazes, Minister for Foreign Affairs; M. Depeyre, Minister of Justice; M. Magne, Minister of Finance; Baron de Larcy, Minister of Commerce; M. Desselleigny, Minister of Public Works; M. Fortou, Minister of Public Instruction; General du Barrail, Minister of War, and Admiral Dompierre d'Hornoy, Minister of Marine. The first on the list, the Premier, Duke de Broglie, is a high and mighty nobleman, aged 52, who springs from a family of Italian extraction which emigrated to France in the train of Cardinal Mazarin during the seventeenth century. His great grandfather was the tolerably famous Marshal de Broglie, the only one of the pre-revolutionary Marshals of France who outlived the first Republic and part of the reign of Napoleon. Disgusted at the revolution this sturdy warrior noble went off to Munster, heaping maledictions on his son, the present Duke's grandfather, who not only embraced the principles of the revolution, but had the honor of being guillotined in the cause of moderate liberal theories. The next Duke, who died but three years ago, was a nobleman of great attainments and sound patriotism. He was twice Foreign Secretary during the reign of Louis Philippe, and took a foremost rank among the men who endeavored to give France a stable, constitutional monarchy like that of England. Until recently it was supposed that he had bequeathed his liberal opinions to his son; but the present Duke, after starting in life as a moderate royalist, friendly to liberty of the press and to parliamentary government, has tacked about and taken up with legitimist ideas of the most bigoted type. He was the prime wirepuller in the parliamentary cabal which overthrew M. Thiers, and he lent active assistance to all the intrigues set on foot to restore Henri V. In person he is handsome, but slightly effeminate, being natty in his dress, honeyed in manners, and addicted to a dulcet, quavering method of speech. It should be remembered that his name is pronounced "Broill," and not "Broglie," as it is written; also that he plumes himself upon being a very correct and erudite author. He is a member of the Académie Française, has contributed a great number of historical essays to the *Révue des Deux Mondes*, and may be said to have literary blood in his veins, for his mother was the only daughter of the famous Mme. de Stael. The Duke de Broglie is married, and has several children, the eldest of whom—a son of 22—was seriously wounded in fighting against the Commune. This young man, Prince Victor de Broglie, is his father's principal secretary.

DUKE DECAZES, THE MINISTER FOR FOREIGN AFFAIRS,

is another of those political French noblemen who, whatever may be said about equality, are sure to obtain the snuggest posts in the State by right of birth. He was born in 1819, and by the age of 25 was already Ambassador at Lisbon, whence he shortly proceeded in the same capacity to Madrid. At the revolution of 1848 he retired into private life, and adhered to that privacy throughout the reign of Napoleon III., whom he much disliked. He is a bluff-looking Duke, proud of his rank, yet affable, and his politics are royalist, of the Orleans shade. On the fall of M. Thiers in May he was sent as Ambassador to London, but he never remained at his post for more than a couple of days at a time, and he did not resign his seat in the Assembly. There is no particular reason why he should have been appointed to his present high position except that he is a Duke and the Premier's intimate friend. However, he is one of those safe men who will commit no blunders, but manage his department in a stolid, lofty, humdrum way, and give excellent dinners to the foreign ambassadors. Very different from His Grace is M. Magne, the Finance Minister, who, without noble blood or family connections of any sort, clambered to the top of the political ladder and has held a seat in different Cabinets for the better part of the last 25 years. So fortunate an example of ministerial stability is not often seen in France, where most Ministers hold office for a couple of years or so, then vanish and are not heard of again. M. Magne was born in 1806, of poor parents, who trained him for a government clerkship, and were delighted when he obtained a situation worth $500 a year. Young Magne, however, being of more ambitious stuff, studied for the Bar, and, on being "called," rapidly distinguished himself by a cool and sensible style of pleading, quite devoid of ranting, and eminently un-French. This coolness and love of sound sense have been M. Magne's chief stepping stones. He is not a great financier, but he is a very shrewd one. He will never bring out one of those magnificent budgets which bear the impress of genius, but his management of the public purse is ever satisfactory, and he is the one French financier in whom the Bourse has any confidence. His greatest achievement was the peace loan of 700,000,000 francs, carried in 1867, which was covered 34 times over, and gave the world to believe that the duration of the Napoleonic *régime* would have no end. In the present Cabinet M. Magne wields an influence scarcely inferior to M. de Broglie's. He is nominally a Bonapartist, but virtually he would serve any government which waged war on republicanism. In private life he is extremely amiable, and extends lavish hospitality to bankers, stockbrokers, and indeed to all moneyed men, native or foreign, who choose to cultivate his acquaintance. Personally, he is gray and spare, talks little, but listens a great deal, and has a passion for music.

BARON DE LARCY, GENERAL BARRAIL AND M. FORTOU,

are three politicians pushed forward by the clergy. They are faithful servants to the Pope, attend mass regularly, and are pledged to do their utmost for the re-establishment of priestly authority over all sorts and conditions of men. General du Barrail, as War Minister, has decreed that soldiers shall attend divine service on Sundays and feast days—a practice which had fallen into abeyance since 1848. M. Fortou, who presides over the education department, is laboring to place the village schools under the control of the village curés, and to get nuns appointed to all the parts in girl schools hitherto held by lay teachers. Baron de Larcy cannot do much for Catholic principles in the Trade Office, but he is President of the Extreme Right Club, and he never misses an occasion of delivering a public speech in support of ultramontane views. All these three Ministers are very dangerous men to have in a French Cabinet at this moment; for, if left to follow their own bent, they would plunge France into war with Italy on account of the Papacy. General du Barrail is especially perilous, for he already flatters himself that the French army has sufficiently recovered from its disasters to take the field again. He is an honest man; but, like all soldiers whose minds have been moulded by priests, he has a dash of the fanatic in him and may be relied on always to give hot and imprudent advice. M. Fortou looks much like a priest in civilian's garb, and is said—whether truly or not I have no means of learning—to be affiliated to the Society of Jesus. Baron de Larcy is a personal friend of the Count de Chambord, and has, according to current rumor, spent some £10,000 during the last three years in getting royalist and religious tracts spread about the rural districts.

MM. DEPEYRE AND DESSELLEIGNY AND VICE ADMIRAL DOMPIERRE D'HORNOY

are the three silent members of the Cabinet—men who are no speechmakers, and might glide out of the Ministry just as they have slipped into it, without exciting any public comment. M. Depeyre, who holds the Department of Justice and Public Worship, is M. de Broglie's henchman, and will obey the Premier in all things blindly. He is a learned but not eloquent barrister, who has passed much of his professional life pleading cases in which clergymen or clerical corporations were involved. He is a good authority on ecclesiastical law, and is, indeed, so thoroughly impregnated with church views that he will appoint no judges who are not in good odor with their diocesan bishops. It was he who was put up by the Right and Right Centre to move the seven years' Presidency scheme; but he was heard declaring aloud in the lobbies that he looked upon MacMahon as a dummy, who was to mount guard over the throne until it were possible to put Henri V. on it. M. Desselleigny, Minister of Public Works, is son-in-law of M. Schneider, the owner of the great Creuzot foundry, and he follows the lead of M. Magne. In religion he is tolerant; but, like M. Magne, he would rather abet the plans of the Catholic clergy than run the risks of quarrelling with them. As to Vice Admiral Dompierre d'Hornoy, he is a sailor, a strong Papist and a Breton, which says enough. Bretons are obstinate and Papist sailors are generally much keener in their faith than other men. The Marine Minister draws no line of difference between an atheist and a Protestant, and he makes no secret of his antipathy for Jews. He came into office on the 24th May last, and has already vexed the minds of French midshipmen and ship boys by ordering that they shall go to confession at least once a month.

THE POLICY OF THE CABINET.

Such are the ten Ministers who hold the destinies of France at present in their keeping, and their policy may be summed up in the old words ultramontane-Cæsarism. They are panic striken men whose brains were fairly unsettled by the extravagances and godless impieties of the Commune, and they believe they have a mission to restore "moral order," which is their phrase for clerical and military ascendancy. They hate republicanism of every shade because they believe that moderate republicans will always be domineered over by the radicals, and, be the hazards what they may, they will endeavor to crush it. If they were wise in their generation they would see that republicanism is not a thing that can be stamped out by penal edicts, and they would apply themselves to crippling the power of the radicals by giving France all the reasonable liberties for which the radicals are agitating. But they are comparatively ignorant men, who know nothing about the philosophy of politics and can see but little ahead of them. If they can manage by dint of reactionary legislation, sword and priest rule, to keep France quiet for a season, they will flatter themselves with the belief that she will bide always tranquil, and in a few years from this time they will probably be standing in the same position as the man who, after carefully blocking up all the apertures of his kettle, was much pained and astonished to see it explode.

A Modern French Romance—A Fatal French Duel—Prince Soutzo and Prince Ghika—What Comes of Tale-Bearing.

PARIS, Dec. 5, 1873.

Paris has been thrown into a state of some excitement by a duel between two Roumanian princes, well known in all the circles of high life. They are Prince Soutzo and Prince Nicholas Ghika, and the great "sensation" of the duel lies in the fact that the vanquisher has not simply pinked his adversary, but slain him outright. It is not often that a fatal duel takes place in France, for combatants are generally prudent enough to fight with foils, and content themselves with scratching each other in the arm or across the chest. Firearms are only resorted to when the parties are desperately in earnest; but, generally speaking, Frenchmen fight only that they may be able to boast of the matter afterwards, and a man who wants to boast naturally avoids such unaccommodating weapons as pistols. Of the many duels that have occurred on French soil during the last 40 years but half a dozen have terminated tragically, and all these have been fought in an un-Frenchmanlike way, with gunpowder. M. Emile de Girardin killed the journalist Armand Carrel in 1836 with a pistol; Marshal Bugeaud similarly put an end to the life of Count Dulong; a few years ago the Duke de Montpensier shot Don Enrique de Bourbon in the suburbs of Madrid, and some months since an American, Mr. Appleton, shot the banker M. Ritter. All these were grim duels; but that between the two Roumanian princes was fiercer than any of them, for it was arranged that the antagonists should exchange four shots and be stationed but 20 steps apart, with leave to march upon each other after the signal had been given. The causes that led to the duel are very romantic.

PRINCE SOUTZO

is descended from a family who had ruled over Wallachia. He is a dark, handsome nobleman, 35 years of age, and spent some years as an officer in the French army. He is very rich, and, on resigning his commission, married a beautiful Roumanian lady, with whom he lived happily five years. Unfortunately some estrangement arose between the Prince and his wife. Some say the lady was in the wrong, others aver that the Prince's love of dissipation was the motive of it; but, in any case, the breach went on widening, and about a month ago Princess Soutzo announced her intention of petitioning for a divorce in the law court of Bucharest. The Prince chafed at the prospect of seeing a family scandal made public, and he was the more incensed from suspecting that his wife intended to remarry as soon as the divorce was granted. He wished to know the name of his rival, but could not find out. He set private detectives to watch his wife's residence; but they could bring him no news of any visitors excepting the Princess' brother and uncles. On Sunday, the 23d inst., however, a friend of Prince Soutzo accosted him at the club of the Rue Royale and said, with more familiarity than good taste, "Shall I tell you whom the Princess means to marry?" "Who is it?" inquired the Prince, eagerly. "Why, I'll wager it's that smart young countryman of yours, Nicholas Ghika." Now, there has always been a feud between the families of Soutzo and Ghika.

PRINCE NICHOLAS GHIKA

was a young man of four and twenty. He, too, was descended from a house of Wallachian hospodars, and, like Prince Soutzo, had been educated in France. He was rich, intelligent and well loved by all who knew him; but there seems to have been no real foundation for the statement that he thought of marrying the Princess Soutzo. Prince Soutzo, however, believed the report, and determined instantly on taking vengeance. The Soutzos and Ghikas have hated each other piously ever since their ancestors fought about the Wallachian throne in the last century, and, though their enmity has been kept within bounds by the usages of civilized life it added double bitterness to Prince Soutzo's rage to hear that the man who had supplanted him in his wife's affections was a scion of the house towards which he harbored an hereditary and unquenchable loathing. On Monday, the 24th, Prince Soutzo went in his brougham to the house of Prince Ghika, and

LAY IN AMBUSH FOR HIS ENEMY.

He waited three hours in his carriage till Prince Ghika returned; then rushing upon him as he was about to enter the house struck him savagely and repeatedly in the face with a stick, making blood flow in torrents. Footmen separated the aggressor and his victim; and, a couple of hours afterwards, Prince Ghika's seconds, who were his own brother (Prince Gregory Ghika) and M. Cortazzi waited upon Prince Soutzo to demand satisfaction. Prince Soutzo's seconds appointed a meeting for the morrow in the forest of Fontainbleau, and Prince Ghika, never having handled a foil, selected pistols as his weapon. He seems to have foreseen that his fate was sealed, for he knew Prince Soutzo to be a first rate shot, and accordingly he wrote at once to several tradesmen to countermand some orders he had given. On the morrow at early morning the two Princes met at one of the most picturesque parts of the forest of Fontainbleau, called Belle Croix. It was a bright morning, far too bright for such murderous work as pistolry, and it would have been well if the two enemies could have drawn a moral from the frisky face of nature and have reconciled their differences then and there forever. But they were both athirst for vengeance. The double-barrelled pistols were loaded, and each of the Princes received a pair of them. Then M. Cortazzi let fall a handkerchief and both fired instantaneously. Prince Ghika's ball went whistling through the trees, but Prince Soutzo's struck his adversary in the side, passed through the intestines and perforated the bladder, causing him to fall, uttering groans of pain. The duel perforce ceased then without another shot being fired. Prince Ghika was carried to a neighboring inn, and three hours afterwards expired, delirious from suffering. Prince Soutzo took to flight, and is now, it is said, across the French frontier, though he would have incurred nothing but a few weeks' imprisonment by giving himself up to the police, for the French are very indulgent in duelling matters. Now, what shall we say of this absurd but unhappy duel, which arose from the light chattering of a senseless friend? It is the old story, and Prince Soutzo will possibly say to his life's end, "Heaven save me from talebearers."

French Trade and Tradesmen—Dieu! Que le Commerce Va Mal—The Niceties of Voder.

PARIS, Dec. 6, 1873.

One of the phrases most frequently heard in Paris during the past year has been, "*Dieu, que le commerce va mal!*" and, if the bankruptcy returns offer any criterion, French trade has certainly been going very amiss indeed. But it always does go amiss when political parties are wrangling hotly, so there is nothing new in the present cry. Old Parisians can remember to have heard it any number of times within the past 20 years. It springs up in the wake of every Cabinet crisis, talk of revolution, or rumor of war. It does not wait until these calamities have become facts; it forestalls them, and when a war or revolution actually breaks out, it may be said that the Parisian tradesman has discounted the ruin of such events long beforehand. Of course, this must be the case more or less with the tradesmen of every country to whom peace is ever a gain and public disturbance a loss; but no merchant or tradesman is so painfully dependent on tranquility as the Frenchman, and this for reasons which it may interest the American reader to examine.

FRENCH RENTIER.

When you hear that English trade is brisk it generally means that the wealthy classes of Britain are making a liberal expenditure of their money; when French trade is brisk it signifies that all classes of the community are living above their incomes. The love of luxuries and of appearances has acquired such enormous developments in France that French trade is based no longer, as in most other countries, on the national fortune, but on the general mania for ostentation; in other words, on the national vanity. Frenchmen are for the most part poor, and are becoming poorer every day. While the soil of Great Britain is divided among no more than 35,000 proprietors, that of France is parcelled out among 9,000,000 owners, and as primogeniture is banned both by law and custom, every increase in the population adds to the excessive subdivision of land, and diminishes the few large estates still existing. It is true that the population increases but slowly, yet it does increase, and the fruit of this increase is the small *rentier*, a style of man to be found in no other country, save exceptionally. The *rentier* is generally a man who has just enough to live on without working. Before the great Revolution he was hardly known, for Frenchmen of property left the bulk of their estates to their eldest sons and sent out the others to make their fortunes where they could. In those days the French had colonies. The surplus of their populations sailed off to found such States as Louisiana and Canada; to conquer Martinique, Guadeloupe and the Mauritius, or to battle for empire in India, under such chiefs as Dupleix or Lally-Tollendal, against the English. But nowadays the younger French son, who inherits as much as the elder, sees no reason for emigrating. So long as he has enough to live on in decent ease he prefers staying at home to running the risks of foreign adventure. To him it matters little whether the French name dies out over three-quarters of the globe for want of colonists; and it would be strange if it did, for emigrants have seldom been driven by sentiments, but by necessity. If the French *rentier* can eke out his small income by a salary in one of the innumerable government posts he regards himself as a prosperous man, and all that remains for him to do is to look out for a wife having just as much or as little property as himself, and to begin living forthwith as if his income were twice what it really is.

FRENCH THRIFT.

We hear a great deal about French thrift, and the quality certainly exists, but under a peculiar form. Up and down the social ladder French men and women are constantly pinching themselves out of the necessities of life in order to buy showy luxuries. They will eat inferior meat so as to go to the theatre, and send their children to cheap and unsatisfactory schools in order to run a carriage. They will save money, too, for the purpose of gambling on 'Change with debenture bonds, bearing 10 per cent interest, and if these bonds turn out to be worth less than the paper on which they are printed, the owners of these bills none the less declare themselves to be capitalists and be reputed so by their acquaintainces. Fathom a Frenchman's fortune and you will always find a shifty ground of weedy scrip; for the point is not to get stocks and shares which bring small, though steady, returns, but to obtain possession of a class of paper which looks valuable, and may, possibly, by some miracle, prove so in the end. Everywhere the straining after effect is discernible. The small employé, the struggling professional man, the mechanic, all try to look and live like the few men who have really big incomes, and in proportion as these big incomes break up and get disseminated, we have a gradual diminution in the number of those who are still so content to seem what they actually are; that is, needy workingmen. In fact, the fortunes of Frenchmen are fast tending to a general level of mediocrity; while on the other hand the taste for luxuries, which should properly belong to the rich, remains universal and all absorbing. Now, to meet this taste, all sorts of trades are kept in activity—trades in sham jewelry, furs, sham works of art, pinchbeck furniture, imitation marbles, third rate silks—in fact, the thousand trades which fill the markets with what the French themselves call *camelote* and Americans shoddy. French trade has been rapidly depreciating for some years past into the production of little else but shoddy, and when the political heavens are still and Frenchmen feel they can dance and disport themselves in all security, then the shoddy trade becomes a roaring trade. But after a short space of time, which may vary from two years to five—but never exceeds this limit—the whole nation get to feel that they have been going the pace too fast; and then the first political cloud is eagerly seized upon as a pretext for retrenching. It is in most cases but a mere pretext. People are not really concerned about the political troubles which may be impending, but they are delighted to find an excuse for shutting up their drawing rooms, ceasing to give dinners, and ceasing to dress them selves in expensive but trumpery gewgaws. They say, "It is impossible to buy anything, even so much as a bonnet or an arm chair, while a revolution may overtake us at any moment," and the person appealed to answers, "Quite impossible." So that by degrees the cry spreads over the land, "It is quite impossible to buy anything—quite impossible," and the shoddy trades get so depressed that shopkeepers troop off to the Bankruptcy Court by the thousands, and commerce is said to be in a complete stagnation. Meanwhile the nation saves up a little, and prepares for a fresh burst of extravagance. The stagnation cry has now lasted two years, and it is probable that before long people will agree that MacMahon is firmly seated enough to admit of everybody recommencing those high jinks for which the Second Empire was specially famous. It would be quite unprecedented if the French people were to allow the shoddy trade to stagnate for more than two years at a time, for the entire country would become melancholy.

WASHINGTON.

WASHINGTON, Dec. 25, 1873.

Losses in Washington by the Failure of Jay Cooke & Co.

The publication in the HERALD of yesterday of the names of the creditors of Jay Cooke & Co. created a lively sensation in this city. During the war, when a quartermaster was unable to settle his property account, he balanced his deficiencies by the convenient credit of "lost in battle," and so, for the last three months, the failure of the Buchu bankers has been often the apology for the nonpayment of debts. Clerks in the departments and others, who were never known to have a cent on deposit in any bank, met importuning creditors with the ready answer that the failure had left them penniless, and they would have to wait until some arrangement could be made by the bank to meet its liabilities. Many, of course, thought the excuse was a mere pretence, while some really believed it, and, with an expression of regret for the loss sustained, were not willing, under the circumstances, to press their claims. The publication in the HERALD showed who were the *bona fide* losers, and the paper was eagerly sought after as a sort of detective list to prevent any further attempt at fraud in this manner. The supply last night was soon exhausted at the newspaper stands, and then the copies were passed from hand to hand until some of them were quite worn out by this usage. Aside from the seeking to find who had been unjustly claiming to be depositors, there was a curiosity to see who were the victims, and many and varied were the comments made on the *exposé* of the Washington creditors. It was noticed that President Grant had to his credit, as treasurer, probably, of the Rawlins fund, $233. His private secretary, Levi P. Luckey, with the good fortune of his name, had but two cents as his balance. Admiral Rowan, of the New York Navy Yard, goes to leeward in the sum of nearly $4,000; and Old Probabilities, who, though weather wise, forgot to watch the financial signals, had some $1,800 swept away by the storm. General Poe, of the Engineer Corps, sunk $4,600. Paymaster General Alvord is down at $1,034. Among the Congressmen the larger losers are Representatives Kendall, of Nevada, in the sum of $2,050, and Hereford, of West Virginia, $2,500. Zack Chandler has but $234 against him, a sum so small that he has probably forgotten it. J. C. Fremont, as a pathfinder, will have to search up the way by which has gone the $43 belonging to him, and the humble janitor of the HERALD Bureau mourns the serious amount of $600 of his savings, imperilled almost beyond a hope of rescue. So much for Buchu. What has been a subject of sad comment is the number of smaller depositors, and this grew out of the general confidence in the stability of the bank. The losses are more keenly felt in this community because they fall mainly on those who can least afford them.

Government Employes to Ask from Congress Pay for Extra Hours of Labor.

Representatives of the workingmen throughout the country, who have arrived here, are combining to make a strong demonstration to Congress in order to procure legislation which will provide funds to pay the employés of the government for the two hours daily in which they have worked beyond the eight hour limit prescribed by Congress, and which has been withheld from them by government officials, before the positive construction of the law. The First Comptroller estimated that at least $500,000 would be required to meet these demands. Many of the claims have been assigned to an agent here, who proposes to take them in a batch to the Court of Claims, while others of them insist that Congress should give them the relief sought.

Official Observance of Christmas.

No business was transacted in any of the departments to-day, which was kept as a holiday by everybody and with the usual observances.

UNITED STATES SUPREME COURT.

WASHINGTON, Dec. 25, 1873.

No. 170. Grant vs. Strong—Appeal from the Supreme Court of the District of Columbia.—This was a proceeding to enforce a builder's lien claimed by Strong upon 16 houses partially erected for Grant. The builder refused to go on with the work because, as alleged, he was not paid according to contract. A promissory note, which had been given him to apply on the account, was not made good at maturity, and he accordingly quit work and sought to enforce his lien. The decree below was in his favor, and the case is appealed, Grant claiming that the lien cannot be enforced because the plaintiff has refused to perform his contract, and that as the note given him was negotiable, received as payment under agreement, and he had transferred it, he could not claim not to be paid. Meloz and Miller for appellant; W. A. Cook for appellee.

No. 172. United States ex rel. Lewes et al. vs. Boutwell—Error to Supreme Court of the District of Columbia.—This was a proceeding in mandamus to compel the Secretary of the Treasury to pay the Choctaw nation of Indians $500,000, under the act of March, 1861, in pursuance of the treaty with them of June, 1855. The relators hold a draft drawn on Secretary Chase for half of the sum, which was not honored, and which was subsequently presented for payment under an act of March, 1871, authorizing the payment by the Secretary, as directed by the act of 1861. The Court below held that the Secretary could not be directed in this manner to perform an act which was within his official discretion, and that this act was within such discretion because the Secretary was called upon to ascertain the proper authorities of the Choctaw nation before he performed the official act of payment. It is here maintained that the relators are the lawful holders of the draft drawn by the delegates of the nation, and that the holder is the proper party to receive the money, and that the act of Congress had recognized the "delegates" as the authorized agents of the nation. These facts were conclusive of the right to the process asked. R. M. Corwine for the relator; no appearance for the Secretary.

No. 173. Cooper vs. Omohmoro—Error to the Circuit Court of Virginia.—This was an action to recover for work done in Cincinnati for Cooper's testator, who lived in Virginia, under a contract made after the 26th of April, 1861. The defence was that the contract claimed was void, being made after the commencement of the war between citizens of Virginia and Ohio; that if not void it was executory, and was terminated by the war. It was also urged that if valid it was too indefinite to be executed, and that in any case no interest could be recovered during the war. The Court ruled that the effect of war upon such contracts did not invalidate them until after the act of Congress so declaring. It is here urged that war *ab initio* terminates all lawful intercourse between citizens of the belligerent countries, and that such was its effect in this case, although Congress had not so enacted. Messrs. J. M. Carlisle, J. D. McPherson and James Lyons for plaintiff; W. W. Crump for defendant.

No. 177. Allen et al. vs. Ferguson—Error to Circuit Court for Tennessee.—The question in this case is whether the Court erred in sustaining a demurrer to a replication to the plea of discharge in bankruptcy, when the replication does not aver that a new promise relied on was made after the defendant was decreed a bankrupt, and not merely pending his petition. The writ of error claims that it was error. A. H. Garland for plaintiffs; Clark and Williams opposed.

A SERIOUS CUTTING AFFRAY.

About four o'clock yesterday afternoon two colored men entered the liquor store of Frank Fritz, corner of Meserole and Lorimer streets, Williamsburg, and, being under the effects of liquor, began quarreling. A man named Gustave Menzhagar by some means became mixed up in the row, and was badly cut about the head and face with a razor. James C. Gester, one of the colored men, was arrested and locked up in the Stagg street station house; the other, who is unknown, made his escape. Menzhagar's wounds were dressed by Police Surgeon Lowenstein.

FELL OVERBOARD.

A tall man, dressed in dark clothes, fell off the ferry boat Farragut, just outside the Fulton ferry slip, at twenty minutes past seven o'clock last evening, and was drowned. The body was not recovered, although patient search was made by the officers of the ferry company.

CUBA.

Herald Special Report from Havana by Way of Key West.

Condition of Affairs at Santiago—Hostile Feeling and Insults to Americans—A Passenger Lost at Sea—The United States Flag Lowered in Face of a Mob Demonstration.

TELEGRAMS TO THE NEW YORK HERALD.

KEY WEST, Dec. 25, 1873.

The United States steamer Kansas, Commander Reed, arrived this afternoon direct from Santiago de Cuba, bringing news to the 21st inst.

PUBLIC FEELING HOSTILE TO AMERICANS.

Although there have been no further depredations committed by the Volunteers since the delivery of the prisoners the people are still rampant, and the air is filled with all sorts of threats.

A Spanish lieutenant said in the hearing of an officer of the Kansas, "You have got the prisoners, but we have the American Consul."

THE INSURRECTION.

The American Consul at Santiago received advices from the Consul at Manzanillo up to the 18th inst. The letter stated that a body of insurgents had been in the neighborhood of Manzanillo for several days, and had stampeded about 400 cattle. No inhuman atrocities were committed.

A PASSENGER MISSING.

The Consul also stated that Ralph Keeler, magazinist, who sailed from Santiago, on the 14th inst., for Batabana, was missing when the steamer reached Manzanillo. The Consul charges that he was thrown overboard, but the opinion of some is that he was insane. The Consul has his effects.

THE FLEETS.

Two English war vessels and the United States ship Canandaigua were still in Santiago when the Kansas left.

THE UNITED STATES FLAG LOWERED.

An outbreak was threatened on the 18th inst. When the American Consul displayed his flag on his hotel the citizens insisted that the hotel was not the consulate.

The flag was finally taken down.

Effect of a Norther—Latest from Havana.

KEY WEST, Dec. 25, 1873.

A gale from the northward has prevailed at Key West.

The Despatch and Mayflower dragged their anchors, but after drifting around the harbor were finally secured.

DEC. 25—Midnight.

The steamer just arrived from Havana.

It is reported that the city is quiet this morning.

WEATHER REPORT.

WAR DEPARTMENT,
OFFICE OF THE CHIEF SIGNAL OFFICER,
WASHINGTON, Dec. 26—1 A. M.

Synopsis for the Past Twenty-four Hours.

The storm, which was central off the Florida coast this morning, has moved northward, with heavy rain on the South Atlantic coast, the area of lowest barometer being now central, near the coast of South Carolina; a second area of low barometer is now central in the upper lake region, and cloudy and threatening weather, with light to fresh southerly winds, are reported from the upper Mississippi Valley, and thence eastward over the Ohio Valley and the lake region; partly cloudy weather, with light variable winds and with slight changes in pressure and temperature, prevails in New England and the Middle States; clearing weather, with combined low temperature and northeasterly winds, prevails in the lower Mississippi Valley; the temperature remains above freezing in all the districts except in Northern New England and Minnesota.

Probabilities.

For New England, cloudy and threatening weather and possibly rain or snow during Friday afternoon or evening. The temperature in this district will fall slightly, with increasing but variable winds.

FOR THE MIDDLE ATLANTIC STATES GENERALLY CLOUDY WEATHER, WITH RAIN OR SNOW, ESPECIALLY ON THE COAST, AND FRESH TO BRISK NORTHWESTERLY TO NORTHEASTERLY WINDS.

For the South Atlantic States brisk and fresh northwesterly to southwesterly winds, with continued cloudy weather and rain, followed by clearing weather in the afternoon or evening.

For the lake region partly cloudy weather, with areas of snow and increasing southeasterly to southwesterly winds.

For the Ohio Valley and thence southward to Tennessee and southwestward to the Lower Mississippi Valley less cloudiness, with winds gradually veering to westerly and with slight change of temperature and pressure.

For the Upper Mississippi Valley cloudy and threatening weather, with light rain or snow, followed by increasing pressure, lower temperature and clearing weather.

For the canal regions of New York and Pennsylvania the temperature will rise slightly during the day.

The Weather in This City Yesterday.

The following record will show the changes in the temperature for the past 24 hours in comparison with the corresponding day of last year, as indicated by the thermometer at Hudnut's Pharmacy, HERALD Building:—

	1872.	1873.		1872.	1873.
3 A. M.	6	33	3:30 P. M.	14	40
6 A. M.	6	33	6 P. M.	14	38
9 A. M.	6	35	9 P. M.	12	37
12 M.	12	38	12 P. M.	11	35

Average temperature yesterday 36¼
Average temperature for corresponding date last year 10¼

STRUCK ON A ROCK.

The Steamboat Morrisania in Trouble.

While the steamboat Morrisania was on her seven o'clock trip last evening from Harlem to her slip at Fulton street she struck on one of the rocks in Hell Gate and received considerable damage, although not sufficient to necessitate her turning back. At the time of the accident no little consternation was occasioned among the passengers by some one of their number circulating the report that the boat was sinking. Some 10 or 15 of them abandoned her in small boats, which came alongside, and, landing on the New York shore, continued their journey in the Second avenue cars.

DEATH OF MAJOR EDWARD WRIGHT.

CHICAGO, Dec. 25, 1873.

Major Edward Wright, late paymaster United States Army, and one of the oldest and wealthiest citizens of Chicago, died suddenly last night at his residence here. He was the father-in-law of Hon. E. Peck.

STABBING AFFRAY.

Richard Williams and Henry Walters engaged in a fight last evening in the tenement house No. 156 Forsyth street, during which Walters stabbed Williams in the spine with a pocketknife, inflicting severe wounds. Walters was arrested by officers of the Tenth precinct.

DIED OF THEIR INJURIES.

Mrs. William Standeven, who was run over on the Erie Railway near the Straight street crossing at Paterson on Wednesday evening, and Edward Kirwin, one of the boys in the wagon which was struck by another train at the Cedar street crossing, died of their injuries on Wednesday night. Inquests will be held to-day.

SUICIDE FROM A FERRYBOAT.

About seven o'clock last evening, while the ferryboat Commodore Perry was lying in her slip at the foot of Broadway, Williamsburg, an unknown man was seen to jump off the outer end of the boat, and before assistance could be rendered he was drowned. On account of the darkness no description could be got of the man.

CARTAGENA.

The Spanish Insurgent Stronghold Weakening Before the Republican Fire—Fatal Accident by Explosion.

TELEGRAM TO THE NEW YORK HERALD.

LONDON, Dec. 26—3:30 A. M.

Special despatches from Cartagena announce that Fort San Julian, one of the strongest defences of the city, has been breached.

FATAL ACCIDENT AND DEATH AMONG THE BESIEGERS.

An accidental explosion in the Ferfal Battery yesterday killed 20 officers and men of the besieging force.

NOT A HOMICIDE.

On Sunday last George Schiner died in the cells at Bellevue Hospital, and previous to his admission it was alleged he had been beaten on the head and face with an axe in the hands of his son, both of whom lived at No. 535 West Fifty-seventh street. A post-mortem examination on the body showed that death resulted from alcoholism and not from violence. Coroner Young was notified.

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TERMS:—Single subscription, $2; three copies, $5; five copies, $8; ten copies, $15; single copies, five cents each. A limited number of Advertisements inserted in the WEEKLY HERALD.

Died.

SCULLY.—Suddenly, on Thursday, December 25, at three o'clock A. M., BRIDGET SCULLY, daughter of John Scully, of Tooman, county Leitrim, Ireland, in the 20th year of her age.

Relatives and friends of the family are respectfully invited to attend the funeral, on Saturday, 27th inst., at one o'clock, from the residence of her cousins, Patrick and Cornelius Bohan, 551 West Forty-fourth street, without further notice; thence to Calvary Cemetery for interment.

Dublin Weekly News please copy.

[For Other Deaths See Seventh Page.]

To Trifle with a Cough Is to Invite consumption, bronchitis or abscess of the lungs. To arrest a cough with HALE'S HONEY OF HOREHOUND AND TAR is to avert all danger.
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A.—Espenscheid Excels in His Holiday style for 1874. Moulded with exquisite taste and skill, it brings out the best expression of the face, as a fine setting gives new lustre to the diamond; and, mark! very reasonable in price. Try them, at 118 Nassau street.

A.—The Old Fashioned Steel and Hoop Trusses are abandoned. The ELASTIC TRUSS, 683 Broadway, is patronized by government for soldiers, sailors, &c. Highest medals at New York and Cincinnati fairs.

A.—Herald Branch Office, Brooklyn, corner Fulton avenue and Boerum street.
Open from 8 A. M. to 9 P. M.
On Sunday from 3 to 9 A. M.

Ask for Goodall's—The Finest Imported and cheapest Domestic PLAYING CARDS. Beautiful new patterns. Sold everywhere.

A Pure and Delicious Smoking Tobacco is SURBRUG'S GOLDEN SCEPTRE.

A.—Furs for the Wife or Daughter and a HAT for the husband or son are useful holiday gifts, and they can be advantageously procured at either of the KNOX'S stores, No. 212 Broadway, in the Prescott House, and Fifth Avenue Hotel. Call early and anticipate the holidays.

A.—Welcome the Virginius and Buy your FURS for lady friends and HATS for the gentlemen at KNOX'S. These are appropriate gifts for the holidays; both useful and ornamental. KNOX'S stores are at No. 212 Broadway, in the Prescott House and Fifth Avenue Hotel.

Anakesis Gives Instant Relief in Piles. Sold by all druggists. Depot, 46 Walker street.

Baker's Chocolate.—If You Wish the best VANILLA CHOCOLATE get BAKER'S.

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Batchelor's Hair Dye Is Splendid— Never fails. Established 37 years. Sold and properly applied at BATCHELOR'S Wig Factory, 16 Bond st., N. Y.

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