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The New Orleans Bee.

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NEW ORLEANS:
TUESDAY MORNING, MAY 26 1863.

Sales at Auction To-Day.

By D. E. Morgan, at 11½ o'clock, in the Union Warehouse, corner of Tchoupitoulas and Notre Dame streets, hams and pork. At 12 o'clock, M., in the Delta Warehouse, on Fulton street, flour.

By R. T. Montgomery, at 11 o'clock, at salesroom No. 33 Camp street, moss. At 10 o'clock, at steamship Continental, foot of St. Joseph street, flour and hay. At 12 o'clock, foot of St. Joseph street, butter, eggs, sugar cured hams, beef tongues, Bologna sausages, &c. At 11 o'clock, at 83 Camp street, rice oil, corned beef, hams, flour, whisky, brandy, &c.

By Phinney & Amory, at 11 o'clock, at No. 55 Common street, flour, coffee, soap, candles, tea, matches, whisky, oil, nails, brooms and water pails.

Ex-Governor Wickliffe a Prisoner.

The steamer Iberville arrived yesterday morning from Baton Rouge with about 75 prisoners on board—ex-Governor Wickliffe, who was captured at his residence in Bayou Sara, being among them. The other prisoners belonged to General Wm. R. Miles's Legion, which was raised in New Orleans, and many of them are recognized as old citizens.

The large and varied sales this day, Tuesday, the 26th inst., by R. T. Montgomery, should attract the entire attendance of dealers in flour, hay, hams, butter, eggs, smoked beef tongues, sausages, and will occur as follows: At 10 o'clock, at steamship Continental, there will be made a large sale of 1337 bbls. choice extra flour, 409 bales hay, choice butter, fresh eggs, hams, smoked beef, beef tongues, and sausages. At 10½ o'clock, ex brig Wm. Creevy, Post 20, First District, superior sugar cured hams. All the above goods are fresh, and now landing in excellent condition and very desirable for the trade. At 11 o'clock, at salesroom, No. 33 Camp street, a large assortment of choice groceries, 70 bbls. and cases coal oil, candles, soap, starch, whisky, brandy and 100 bales black moss, in splendid order for shipment. At 11 o'clock, at Old Auction Mart, 87 Camp street, a large sale of furniture, beds, bedding, crockery, stoves and sundry other goods. For full particulars we refer to various advertisements.

Messrs. Phinney & Amory, auctioneers, sell at 11 o'clock, this morning, at No. 55 Common street, a lot of tea, coffee, candle, whisky, &c. Terms cash in Treasury notes.

THEATRICAL—*Varieties, New Orleans*—Mr. Lewis Baker, ex-manager of the Varieties Theatre, New Orleans, sends us a statement which is too long for publication, declaring that he is and always has been a loyal man, that the first citizens of New Orleans vouch for his loyalty, and that he had no share, except as a sufferer, in the misunderstanding which caused the recent disturbance at the Varieties Theatre. Other accounts corroborate Mr. Baker's statement.—*N. Y. Herald.*

Washington News.

(Special Dispatches of the Tribune.)

THE CONSCRIPTION.

Washington, Monday, May 11.—Under the provisions of the Enrollment law, as constructed at the War Department, the men will be in the service of the United States from the moment they are drafted. And the Department has ordered that they be put in uniform, and that they be provided with knapsacks, haversacks, canteens, tin cups, spoons, &c., as soon as they report to the Provost Marshals. The Quartermaster General has been ordered to fill the requisitions of the Provost Marshal General for the clothing and other equipments, to be delivered at whatever points the latter may designate.

RE ENLISTMENT OF OFFICERS.

By order of the Secretary of War, officers of regiments going out of the service, by reason of the expiration of their terms of service, may, with the consent of their respective Governors, re-enlist their regiments within thirty days from the expiration of their original service, for a term of three years, unless sooner discharged; and upon the regiment being filled up within the thirty days aforesaid, the officers shall be restored to their rank as from the date of their original commissions. This, however, will give no claim for pay for the time between master out and re-entry into service.

PHILADELPHIA CANARDS.

The military canards let fly on Saturday from two Philadelphia newspaper offices to New York were certainly hatched by Munchausen. Nothing so free has been published since the war begun.

THE BRITISH SLAVE LAW.

A Maryland fugitive slave, who was caught, imprisoned and brought by habeas corpus before the new Supreme Court, is about to furnish the country with a decision of the mixed question of the constitutionality of the Fugitive Slave law, and its compatibility in the District of Columbia, where Chief Justice Taney and Wilkes are also on the bench. Messrs. Phinney & Dean plead for the black man directed by Messrs. Bradley and Coxe opposed.

REVENUE DECISIONS.

The Commissioner of Internal Revenue, today made the following decisions:

Writs of error and writs of *certiorari*, to remove proceedings from an inferior to a superior court, are not original processes, and do not require a stamp; nor does an appeal from a judgment or decree of an inferior to a superior court.

A paper in the form of a note, with a seal, is a bond, and requires to be stamped as such.

The Comptroller of Prisons is liable to a tax levied on a carriage and other articles specified in schedule A, section twenty-sixth, of the Excise law. He has not the privileges of an Ambassador, and is entitled to no exemption except from taxes, both direct and personal, which this is not.

Amicable actions of *fore fionas*, whether with or without a confession of judgment, require a fifty-cent stamp, as do the original processes.

Revenue stamps of any kind, except those specially designed for proprietary articles, may be used upon instruments.

MILITARY GOVERNOR OF WASHINGTON.

Major General Hitchcock has been assigned to duty temporarily, as Acting Military Governor of Washington, General Martindale having obtained a brief leave of absence to visit his home in New York on private business.

REPAIRING DAMAGES.

It is said the rebels already have a large force engaged in rebuilding the Orange and Alexandria Railroad bridge over the Rapidan, destroyed in the course of the late raid of Stoneman's cavalry.

ALL OUR WOUNDED THIS SIDE OF THE RIVER.

Washington, Friday, May 15, 1863.—The last of our wounded from the other side of the Rappahannock have been brought over the river. As good care was taken of them while they remained in the enemy's lines as could reasonably be expected. Our surgeons have been with them since Gen. Hooker recrossed the river. The medical stores seized by the enemy on Gen. Lee were taken possession of by the rebels, but were issued to our surgeons on proper requisitions. All the dead of both armies have been buried.

THE REMOVAL OF BAYARD TAYLOR.

The *Republican* of to-night says, as by authority:

It is understood that Bayard Taylor, the Secretary Legation at Madrid, is about to be promoted to be sent against Minister Clay in the Senate, and this is probably the cause of his removal.

EWELL TO SUCCEED JACKSON.

It is said that the dying words of Stonewall Jackson were a request that Gen. Ewell might be assigned to the command of his troops.

THE CASE OF GEN. BUELL.

The record in Gen. Buell's case has arrived here. There is reason to believe that the findings of the Court are such as to show that the President had ample reason for removing Buell from the command of the Department of the Cumberland, and that the Government only erred in postponing his removal so long.

Exploits of the First Louisiana Brigade.

We find the following letter, giving a recital of the doings of this brigade, published in the Mobile *Advertiser* of the 21st:

Camp Near Fredericksburg, May 13, 1863.

Col. Forsyth: In the recent battles on this line, the First Louisiana Brigade was actively engaged and lost heavily, and no doubt the sallied Louisianians who are sojourning in your beautiful and hospitable city are very anxious to hear of the exploits of their friends and relations. I therefore take the liberty of writing you a brief letter, knowing that you will not hesitate to give it a place in the columns of your valuable journal, when you take into consideration the fact that, owing to the occupation by the enemy of the larger portion of the "Sugar Bowl" State, we are entirely cut off from our own press.

The First Louisiana Brigade, now under command of Gen. Harry T. Hays, has been in no less than twenty fire engagements, and its brilliant achievements have been daily acknowledged and applauded by the lamented Ewell, Jackson, to whose flank corps it has for more than a year, been attached. During that time, it has been reduced from an aggregate of 1500 men to about 1500, which is its present strength. In the recent advance of Joe Hooker, "The Pulverizer," the larger part of his army crossed the Rappahannock and Rhoan miles above this place, while two *corps d'armée* were left on and below the hills of Stafford, opposite to Fredericksburg.

General Lee soon penetrated the plans and the strategic movements of the Federal General, and sent the small body of his army up the river, leaving Early's division (to which the First Louisiana brigade belongs) and Barksdale's brigade of Mississippians to confront the two corps that threatened Fredericksburg. On the morning of the 3d of April we found ourselves under a dense fog, threw a bridge of pontoons across the river, and succeeded in landing a large force on this side, some three miles below Fredericksburg. The Sixth regiment of this brigade, under command of Col. Monaghan, was sent forward to relieve the Twelfth Georgia (the only one of Barksdale's) of the Federals, but owing to the commanding position of the enemy's artillery on the other side of the river and the overwhelming number of Federals that had already crossed, the regiment, after a gallant and stubborn resistance, was compelled to retire, leaving 89 men wounded and prisoners in the hands of the enemy. Among the missing is Lieut. Col. Hanlon, who was very severely wounded at Sharpsburg, and had reported for duty the day before the fight, notwithstanding that he had not entirely recovered from his wound. The place where the enemy crossed could not have been successfully defended, owing to the nature of the ground, nor was it expected by our generals. The remainder of the brigade was posted on the Richmond and Fredericksburg railroad, about eight hundred yards from the enemy, where it remained until the morning of the 3d inst., being at times violently shelled by the Federal batteries, but with little or no effect, only five men of the Ninth regiment being wounded. On the evening of the 2d inst., the Seventh regiment, which was on the pike in front of our lines, had a spirited skirmish with two full brigades of Federals, and, notwithstanding the great disparity of numbers, succeeded in keeping them at bay until dark.

At 4 o'clock on Sunday, the 3d, the brigade marched under a furious cannonade to a position above Fredericksburg, four miles distant, where it arrived just in time to prevent a large Federal force from turning the left flank of Gen. Barksdale's brigade. Had the enemy succeeded in this movement, Gen. Early's division would have been entirely cut off from the main army. Two hours after the Louisianians took this position, Gen. Sedgwick, who commanded the Federal force, after having made three futile attempts to take Marye's Heights, being, thereby at least a thousand men, succeeded in capturing that famous strong hold. And here we mention an incident: A short time before the storming of Marye's Heights Gen. Sedgwick sent a flag of truce to the Colonel commanding our forces at that point, begging permission to attend to the wants of his wounded that lay in front of our line, which request was strangely acceded to. The bearer of the flag was a shrewd, keen fellow, and he easily perceived how weak and extended our line was. A few minutes after he had returned to Gen. Sedgwick, the enemy massed the larger part of his force in front of our centre and made a dash at the Heights, which he soon captured, taking two or three hundred of Barksdale's men, and six guns and thirty men from the famous Washington Artillery.

One of our regiments, the Sixth, which had been left to assist in the protection of Lee's Hill, came near being captured, and escaped with a loss of twenty-seven men killed and wounded. The taking of Marye's Heights necessitated the falling back of the whole division to a point two miles in the rear of Fredericksburg. Notwithstanding the immerical superiority of the enemy—he having 35,000 opposed to our 8000—he did not pursue us. The battle of Sunday (the 4th inst) the Heights were easily retaken by Gen Gordon's Georgia brigade. Gen. Lee, perceiving that we were fighting against too heavy odds, sent the Divisions of Generals McLaws and Anderson to our assistance, and at half past five in the evening a general charge was made upon Sedgwick, who was making desperate efforts to join Hooker. The position assigned to the Louisianians was on the left flank of the enemy, and the charge they made was pronounced by general officers who witnessed it one of the most daring and brilliant of the war. Over high hills and broad exposed plains they rushed forward, amid a perfect storm of shot and shell, until they had broken two heavy columns of Federals, and driven them for a distance of two miles. They were approaching the third line, when a North Carolina brigade mistook them for Federals and fired upon them.

Had it not been for this untoward accident our victory would have been even more signal and decisive. The Federals were terribly cut up, and large numbers of them fell into our hands. Gen. Hays acted with distinguished gallantry during this engagement: riding at the head of his brigade, he presented a conspicuous mark for the enemy's sharpshooters, but happily escaped unhurt. He handled his brigade admirably.

Owing to the mistake of the North Carolinians, and the rapid approach of night, over a hundred of our men and several officers lost their way in the woods and were taken prisoners. Among them were Col Stafford and Major Williams, of the 9th; Lieut Col. Lewis and Major De Blanco, of the 8th, and Lieut Col. Terry of the 7th.

Had the attack been made two hours earlier, the whole of Sedgewick's forces would have fallen into our hands; but the delay was unavoidable, owing to the great distance that our reinforcements had to march.

That night the Federal General recrossed the river.

The losses of the brigade sum up as follows: Killed, 78; wounded, 293; missing, 203.

WM. J. SEYMOUR, A. A. General.

List of Casualties in Hays's Louisiana Brigade.

We find the following list of casualties in Harry Hays's Louisiana Brigade at the Battle of Chancellorsville. This Brigade has been in twenty-five engagements, was originally 4000 strong, but had been reduced to about 1500 before going into the last fight.

EIGHTH REGIMENT,

Lieutenant-Colonel T. D. Lewis, commanding.

Field and Staff—Missing, Lieut Col Lewis and Maj Alcibiade DeBlanc.

Company A—Capt Quinn commanding. Killed: Sergt James Dunbaugh. Wounded: 1st sergt J P Jones, privates J D Patton, Jas Daly, N. McKinney, severely; F Cuming, slightly. Missing: Corporal Albert, J J Kessler, privates Robert Allen, Joseph Kennard, Jos G Freeman, E Bark, Wm Brown, Julius Foster, R J Korn, John Robinson, Joseph Wood.

Company B—Capt L. Bringier commanding. Killed: Corporal Edward Devereux, private John Conroy. Wounded: Sergts W M Clark, Manuel Turin, corporal Ed Myers, privates Rainfall Beerwirth, severely; S Rapin, Olivier, slightly. Missing: Lieuts Hilarion Rivas and John Dea, corporal Andrew Schard, privates Michael Welan, Fred Werner, Feng Pedron, Alex Axen.

Company C—Capt Duchamp commanding. Wounded: Sergt Theophile Dutel, privates Ludrad ——, Julius Seale, Aristide Indice, severely; Jules Barret, slightly. Killed: Jules St Julien, Lusignan Broussard, Cesaire Dupuy, severely; Arthur Duchamp, Douglas Cocherie, Alcibiade Verey, slightly. Missing: Privates John Deegan, Simon Demery, Dafin Falcher, Wams St Julien, Lucien St Julien, Eugene Gra——, (probably dead) Jules F Hardy, Semeon Lyons, Ambrose Degaptier, Alfred Barrett, Leonard Bonnigly, Valein Guille, John Pradoe.

Company D—Lieut John S Dos commanding. Killed: Pat Castello. Wounded: Corporal Wilbo Robbins. Missing: Pat Quigley, Pat Kelly, Daniel Hines, James Curken, G T Camp, D Norman, Christian Burns, John Agen, F Mahony, Cornelius Mahony, H P McCoy, Henry Piper, E Shylock, J H Thompson.

Company E—Capt G A Lester, commanding. Killed: Privates Washington A Hawthorne, Ben J Thorn, John Her. Wounded: Capt G A Lester, privates Benjamin A Jones, Wade H Moore, John N T J Ellis, John J Thompson, Theo B Norwood, severely; Sergt Jas Moses A Grice, John J Covington, John Hillard, Benjamin J Barn—, Isidore Hays, slightly. Missing: Privates Meridith W Silver, Rufus Rusk, Jesse E Allers, David Hughes, Ainsworth Price, Ebenezer M Wilson.

Company F—Captain Dejean commanding. Wounded: Privates Dardean Lyons, J J McGuidy, E Togleman, B Henry Smith, slightly. Missing: J T Healy, A Fremont, C F Lutz, V Sturg, W H Lewis.

Company G—Captain S Y Webb, commanding. Killed: Privates John W Bailey, John Mason. Wounded: Privates Jas Hoffman, Aaron Holms, John Leary, Joseph G Lottin, Stephen Kemp, severely; Lieut J Sanding, privates Thos Dawson, R A Long, W J Morrow, Ans W Thompson, slightly. Missing, Sergts J G Beers and W H Bailey, Corporal J M Lancaster, privates J M Fischer, Jas L Hutchins, Ed A Montgomery, Ramon Bourgues, J S Williams, Ans Kimes, N H Walker, J P Lewis.

Company H—Lieut John Burgess, commanding. Killed: Sergt Geo H Roberts, privates E Mosby, Chas J Watts. Wounded: Lieut W H Oliver, privates Joseph Boudro, severely; Mathew Dials, Chas McDaniel, Cornelius Meehan, slightly. Missing: Lieut John R Murphy, sergt W O'Neil, privates Charriere, F Devereaux.

Company I—Capt. Wm K Johnson, commanding. Killed: Corporal Robert McKent, private Estile. Wounded: Privates Bisaine Delhom, Jas Dillon, Angelith Flores, Jas F Lowry, John Hillborn, and W H Gessett, slightly. Missing: Sergt John Ryan, privates W J Dorramos, M V B Dubel, Ed Grimes, Wm Delzell, Thos McCarthy, Clem Lopez, S G Shoneabury.

Company K—Capt V St Martin, commanding. Killed: Privates M Basino, O Monstage and A Pesaro. Wounded: Lieut W Timon, privates D Carney, John McCormick, severely, M Pletcher, J Foley, J Morrison, slightly. Missing: Lieut D Smith, Corport T. Bronsac, privates A Gendron, D Lebon, T Comes, E Lassen, A Navarre, O Nicholas.

Recapitulation—Killed, 17; wounded, 64; missing, 89. Total 170.

Seventh Regiment, Colonel D. B. Penn, Commanding.

Field and Staff—Wounded: Acting Adjutant John Rowan; missing, Lieut Col Terry.

Company A—Capt W P Thompson; commanding. Wounded: Privates H Devan, (since dead); J Rouse, (since dead,) Sergt F Myers, (leg amputated;) privates J C Richard, Geo Ke—, severely; Lieut K Dearie, Sergt M Lamar, J Grace, J Hubert, (missing,) E Carter, slightly; missing: privates John Kennedy, George Archer, R C Morgan.

Company B—Killed: Privates G Norman, M Gingley. Wounded: Privates James Allen, (leg amputated,) J N Foreman, M Porren, severely; T S—, S Fontaine, C A King, W H Samuel, Julius Stephen, W K Banns, slightly. Missing: Privates Patrick Herran, H McCroy, A Wales, E Burr, R McGarrity, W Miller, W Peterson, H T—ano.

Company C—Capt Cameron, commanding. Wounded: Privates G Geary, (missing,) P Haighnehan, slightly; missing privates T Homily, C King.

Company D—Capt Malacher, commanding. Killed: Privates J McMenan. Wounded: Privates A Schollinger, severely; S E Estlharp, slightly. Missing: Privates E Brown, L Brannon, J Boyle, J Flaherty, G Hoogs, R Weber.

Company E—Captain Grogan, commanding. Killed: Corporal James Hebbe. Wounded: Lieut H Fierce, severely in the hip; Sergt Pat Hayes; privates E Tarek, E Reynolds, J Kennedy, H C Caldsen, P Donnly, J Powers, T Smoctemire, slightly. Missing: Capt Green, privates John Young.

Company F—Capt T G Morgan, commanding. Killed: Sergt Le Gearity, J Fitzgerald. Wounded: Lieut Kerrigan, severely in groin; Privates High Carr, John Hogan, John Kennedy, Jas Brown (missing;) T M Meab, C King, slightly. Missing: Privates John Birmingham, Pat Waters, M Cosgrove, M Grimo, J Davis.

Company G—Lieut J Killmartin, commanding. Wounded: Sergt T C Simms; Corporal Tom Peebles, privates E Sweedy, O Shannon. Missing: Privates C Houghton, H Mason.

Company H—Lieut H Grimshaw, commanding. Killed: Private J Mordecai. Wounded: T Micou, John Smith, severely; Lieut Brooks, privates D McDonald, J B Sanne, T Crouan, A B Gillman, H Cooper, slightly. Missing, none.

Company I—Lieut H C Thompson, commanding. Wounded: Lieut Thompson, Sergt M Fuller, Corporals D Frawley, J B McMiller, privates P J Malony, J Williams, Henry Grile, Thomas Grinn, severely; Sergt W J Walker, privates D Callahan, slightly. Missing: Private John Burke.

Company K—Captain Ogden, commanding. Wounded: Sergt O F Terry, severely; Corporal T Fleming, Sergt G Bakers, John N Lenier, Wells, privates F Heafen, E D Love, Geo Lusk, Geo Ritchel, H Pratt, H Powell, E Patterson, H T Shields, slightly. Missing: Lieut G T Wells, Corporal John Holmes, privates J Garvin, A Lusk, Jas Machon, D H Powell.

Recapitulation.—Killed, 9; wounded, 72; missing, 57. Total, 118.

NINTH REGIMENT.

Colonel S. A. Stafford, Commanding

Field and Staff Officers—Missing: Col Stafford, Maj H L N Williams, Serg Maj P J Key.

Company A—Capt J E Montgomery, commanding. Killed: Private N G Reed. Wounded: private S N Butler, severely. Missing: Sergt G L Gallaghan, private F S Hay, B E Gilbert, John Writtington.

Company B—Capt W F Cummings, commanding. Killed Capt Cummings, sergt W G Swilley, corporal J W Callahan, privates J Martin, J Hutchins, John Crittenden. Wounded: Sergt J W McMeary, privates L Wittkowsky, W Hodnett, John Dunn, E F Williams, severely; Lieut H S Henderson; privates J K George, W Bleus, slightly. Missing: Sergt O K Hayworth, privates T Handle, S Campbell, S Lynch, S Willis, E O Bibery.

Company C—Capt R K Pearson, commanding. Killed: Corporeal T J Hawthorn, private J Foster. Wounded: Privates J A Gaibert, J E Smart, severely; J H Cox, R K Couoce, W T Sollis, W H Reyburn, A B Wells, slightly. Missing: Corporal T B Forkington, privates R Keevers, P A Thompson.

Company D—Capt John Hodge, commanding. Killed: Private A D Bishtley, Bradshaw Wilson. Wounded: Sergts W Robb, corporal W A Stroud, privates J Robertson, S Verges, sergt D C Appleswhite, privates P B Burrow, L V Sentell, J C Sandin, D O Wester, slightly. Missing: Privates Gill Allen, P A Dougherty, Allson Dougherty, J P Lyon, Thomas Marks, J M Woodward, J B Baker, Geo Wilham, J C Jones.

Company E—Capt Edw Owen, commanding. Killed: Privates John Gregory and John Pyle. Missing: Privates Jas Cushing, Alfred Clarke, Jas Hoy, Thos Kelly, Jerry Mart, Wm Teuler, John McAdams, Thomas Donnoo.

Company F—Lieut B F Jackson, commanding. Killed: Privates John Snelly, Ed Rogers. Wounded: Lieut Goodwin Rood, Sergt J W Bradford, severely; Corporal Jas Wilkinson, privates F Glennywright, A J Greenwood, H C May, W C Rogers, W S Satherin, C E Thomas, slightly. Missing: Corporal B F Glover, private R Davis, H Nixon.

Company G—Capt A A Singletary, commanding. Killed: Sergt J Montgomery. Wounded: Corporal B Wiley, privates T Pickser, John Shilling, G W Fickling, slightly. Missing: private John McKay.

Company H—Capt Grovecock, commanding. Killed: Capt Grovecock, private William H McDowell. Wounded: Private E B Bell, severely; Sergt R M Malone, Corporal J R Doman, privates M E Bloom, J R Sykes, S A Taylor, J H Bork. Missing: Privates A J Faucher, O B McDowell, G W Bates, M L Lyon.

Company I—Capt G Williams, commanding. Killed: Corporal L A Cook, privates W R Ward, Peter Humpton. Wounded: Lieut Wm Magee, Sergt J E Morris, Corporal O B Seales, privates J A Cooper, J M Spring, J G Cook, Wm Jenkins, W B Smith slightly. Missing: Private A O Horrel.

Recapitulation—Killed, 21, wounded, 52, missing, 42. Total, 116.

The list of casualties in the brigade foots up as follows:

Killed	73
Wounded	236
Missing	235
Total loss of Hays's Louisiana Brigade	602

or one-third of the number that went into action.

Those mentioned as missing in the above list are supposed to be prisoners.

WM. J. SEYMOUR, A. A General.

CITY INTELLIGENCE.

U. S. Provisional Court—Judge Peabody—Monday.—When we arrived at the Court yesterday, a few moments after its opening, we found Mr. Rosenau in "the full tide" of his argument resumed from Saturday, on the exception to the jurisdiction of the Court in the Confiscation cases.

He had quoted the Latin phrase of "in time of war inclos sleeps" (the basis of the Prosecuting Attorney's argument) and with much emphasis denied its applicability in the present case. The Constitution and Laws of the United States are still paramount here. The plea of "military necessity"—that the President could do under it anything he chosed was most dangerous, and under that plea Hayman had committed acts which would hold him up for the execration of all mankind to the last generation. If that doctrine should obtain, this people would be subjected to a military despotism, to which that of Timour the Tartar, the Czar of all the Russians, and the Sublime Porte would be inferior. It was an assumption which he admitted could not be prevented in time of war, but when peace came mankind would be the grand jury to find an indictment against it.

The President himself, though not the profound Constitutional lawyer he was represented to be, was honest, sensible, and shrewd. In his review of the Confiscation Act, he claims the right of appropriation and destruction of property as existing in time of war. But our military commanders, in an enemies' country, should destroy and appropriate when necessary, but they should keep a record of what they do—meaning thereby that the United States would make indemnity to loyal citizens when the war was over. As to the question of confiscation it is equally clear. He objected to the clauses which divested of title perpetually, and which worked attainder of blood and property for treason, except for life—as unconstitutional. By a fair construction of the law, these persons are not to be punished except according to all the forms of law and the requirements of the Constitution. No better argument than this obvious distinction of the President between confiscation and the military right of appropriation and destruction could be made in favor of this exception. Confiscation would be handed down to the generation of mankind. Confiscation was a judicial question—to be decided judicially and not by the military power.

Confiscation must be acted on in Courts of the United States in the regular and legal course of law. The sovereignty violated must confiscate in its own Courts. A Court of the United State has been defined by Chief Justice Taney to be a court deriving its authority from the Constitution of the United States and no other class, by other laws than those made by the Court of the United States. This Court, in which it is attempted to try these confiscation cases, has no such authority, and is not such a Court of the United States as that prescribed by the act of Congress.

Neither the President or any other military power has the right to establish a court in a conquered country, to try cases of prize or no prize. It is a military court, and the military court at Monterey during the Mexican war, in a case of prize carried to the Supreme Court was pronounced to be a nullity. The same principle will apply to this. The President has no power to create a court of the United States. The power he has is by the law of nations, and by that he is limited. He cannot go beyond military necessity—and that is confined to appropriation and destruction.

But we cannot attempt to do justice to the elaborate, lucid and eloquent argument of Mr. Rosenau, which covered the whole ground, and left nothing unsaid in his reply to the Prosecuting Attorney. It must suffice that he seemed to summon to the discussion all his powers and eloquence, and that his speech occupied two hours and a quarter in its delivery.

The Court took the question, this presented to it with great ability on both sides, under advisement, and, without the transaction of any other business, adjourned.

Every Dog has his Day.—Officer Davis reports that on Sunday he killed a mad dog on Race street. He was supposed to be mad, but had not bitten any body, and it was appropriate that his race was final on Race street. It seems rather early for the "dog days," though, and it may be that the poor brute was injustly suspected of being insane—as men and women often are.

Time Lost.—Louis Misser missed his watch and chain, and charged Joe Zuckler with being the thief. Therefore Joseph was locked up to answer whether it was he or somebody else who was keeping Misser's time.

The Other Courts.—For some reason not very clearly elucidated, it has been decided among the Judges of the District Courts to forbid free access of reporters to the records—therefore we expect to give only semi-occasionally, what may be going on in these Courts.

✓*Inquest.*—George Bono, an Italian, 38 years of age, died suddenly yesterday evening on the corner of Bourbon and Orleans streets. Coroners verdict: Disease of the heart.

The War in Tennessee.

THE FIGHT AT HORSESHOE BOTTOM NARROWS, ON THE CUMBERLAND—PARTICULARS OF REBEL LOSSES—MORGAN'S PROPOSED MAID INTO KENTUCKY DEFEATED.

Louisville, May 15.—Col. Shoep, in Sunday's fight with the rebels Clarke and Chenault, at Horseshoe Bottom Narrows, on the Cumberland, lost forty-two men, including three officers. Capt. Chenault and several other rebel officers and ninety-eight of their men were killed, and three taken prisoners.

Gen. John H. Morgan was in command with nine regiments, aggregating 4,000 men, which are still on the south side of the Cumberland, only small squads having crossed at different points.

Col. Graham, at Glasgow, killed several rebels and drove 200 to the south side of the Cumberland on Wednesday.

There is no considerable force of rebels on the north side of the river. Morgan's proposed raid into Kentucky has been defeated by the forces of Colonels Boyle and Holman, and the Twentieth Michigan Regiment, under Colonel Jacobs, at the Narrows.

[FROM OUR EVENING EDITION OF YESTERDAY.]

Additional Southern News.

From the Mobile papers of the 21st we clip the following:

We are informed by the Mayor that the British subjects residing in Mobile have formed a company known as the British Consular Guards, commanded by F. J. Helton, Captain, and have offered their services to the Mayor to aid in the preservation of the good order of the city in case of insurrection, invasion, inundation, devastation by fire, or any other duty not inconsistent with the retaining of their original nationality.

CONFEDERATE PRISONERS.

Some five hundred Confederate soldiers, captured by the enemy near Fredericksburg, during the late battles, reached Mobile on yesterday from City Point. They report that the whole number captured by the enemy during these battles does not exceed sixteen hundred, all told. The Yankees have a long account to settle with us on the exchange list yet, the odds being four to one in our favor at present.—*Richmond Enquirer, 16th.*

THE WOUNDED IN THE LATE BATTLES.

We have been enabled to ascertain the exact number of our men who were wounded in the last battles about Fredericksburg. They amount to 6,739. Six thousand five hundred have been brought by railroad to this city. The balance remain in hospital near the battle field. Of those who have been brought hither, the wounds of 2,000 are very slight—only sufficient in the majority of cases to enable the sufferers to obtain furloughs.—*Richmond Examiner, 14th.*

THE WOUNDED AND SICK.

It appears from official data that 7,100 wounded men have been brought from Chancellorsville to Richmond. Since that battle 1,000 sick have been brought to Richmond. It is expected that during the next thirty days one half of the wounded will be able to return to duty. In the battle the proportion of slightly wounded to those fatally injured greatly exceeded that of any previous contest between the Confederate and abolition troops.—*Dispatch.*

The Memphis Appeal.

We are indebted to James Elder, Esq., for a copy of the "*Memphis Appeal Extra*," published at Meridian Monday evening, from which we obtained the first particulars we have yet found concerning the entrance of the Yankees into Louisiana. We append whatever the Extra contains which we had not already heard:

ON THE WING.

Having been compelled by the Federal invasion of Jackson, to "change our base," and being detained at Meridian for some days, we are enabled by the kindness of Mr. Hewer, of the *Journal*, to issue a daily bulletin from his office during our stay. We are induced to this course from our knowledge of the public desire to have news, and from the fact that authentic accounts of army operations, &c., which we may be enabled to supply through an attentive correspondent at Jackson.

Our point of final destination is yet undecided, and it will be determined by the contest now going on in the vicinity of Vicksburg. Having saved our press and most of the printing material of our office, we are prepared to resume the publication of our regular issue as soon as we shall find an advance movement or a return to Jackson the most advisable. This point will be determined probably within the next two or three days. In the meantime, we will supply the public with the latest and most reliable intelligence from the army and other points, in the shape of an extra slip.

THE FALL OF JACKSON.

Early on Thursday morning last the Federal army in strong force, was reported within two miles of Jackson. Gen. Gardner, with a few men, drove the enemy back a mile and a half, when the town was aroused by the booming of cannon. Very soon all became bustle and confusion. Wagons and drays were in great request. The departing railroad trains were crowded to overflowing, and there were not accommodations for half of those who wished to escape the clutches of the Yankees.

Fortunately most of the Government property and stores had been removed in advance, and much of what was left was thrown into the streets and appropriated by the retiring soldiers or other persons, who chose to accumulate themselves with the castoff property.

But a feeble resistance was made by our small force who were sent out to hold the enemy in check. No serious engagement was intended or expected, and about twelve o'clock our troops commenced filing through the streets, taking the road to Canton. We had a few cannon, some ten or twelve, in position in the rifle pits, manned, however, by raw troops, which served a very good purpose in staying the progress of the enemy, who did not advance further until about half-past two o'clock in the evening. A Georgia and South Carolina regiment, we learn, were the only infantry engaged. We heard from stragglers that they suffered pretty severely. Morgan as yet we have been unable to gather any particulars of our loss, either in killed or wounded.

Our troops retired through the city in perfect order, in high spirits, and with a defiant shout. They will yet show the Yankees a sample of Southern valor, which they have met from time to time, equal force. General Gardner and Walker were in command. Gen. Johnston arrived the evening before, too late to be of any service in an effort to hold the place. Had he, with his reinforcements, got down forty eight hours sooner, Jackson might have been saved from invasion and pillage.

DESTRUCTIONS OF THE ENEMY.

The Hospital, printing office was saved by a Federal guard placed in charge.

The proprietors of the *Mississippian* succeeded in moving away most of their material, and there could not have been a great deal left behind for destruction, if we except a large Hoe press, on which the *Weekly Mississippian* was printed.

The material of the *Appeal* office left behind was not disturbed, except the large safe, which was blown to atoms. Fortunately we had removed the contents, and the Yankees did not rob us of much in the shape of cash.

We are informed that a temporary bridge has been constructed across Pearl river, and that troops passing down the river commenced crossing over yesterday.

We learn, verbally, that Gen. Johnston, with his little command, left Calhoun station yesterday morning, with the view of effecting a junction with Gen. Pemberton on the Big Black. Gen. Maxey, with his brigade, was expected in Jackson yesterday evening.

Further from the Rappahannock.

BEE OFFICE,
MORNING EDITION, May 25, 1863.

(Special to the N. Y. Times.)

THE LAST OF OUR WOUNDED BROUGHT OVER THE RIVER—THE SEVERE LOSSES OF THE REBELS—STATE OF FEELING BETWEEN THE TWO ARMIES.

Headquarters Army of the Potomac,
Thursday, May 14, 1863.

Lieuts. Wood, Roach and Wheat, of the Ambulance corps, who have been engaged on the opposite side of the river in securing the wounded of the late battle of sixty-three, returned yesterday, having seen the last man over. They have been treated very kindly by the rebel authorities, and every assistance has been rendered them in getting the wounded to this side of the river.

A general depression exists among the rebels consequent upon the death of Stonewall Jackson. The Richmond *Examiner* says, that his presence was equal to fifty thousand men to an army. "He was the main spoke in our wheel, the second Washington," remarked the Major of the South Alabama, yesterday. The severe losses incurred in the late engagements have caused the rebels to be any thing but jubilant over their partial success. The loss of eighteen thousand men falls much heavier, in a military point of view, upon them than upon us. The system of conscription acts have carried all the available war material into the navies, and every man now counts as he has not before.

The rebels are remarkably well clothed this spring. A captain, a nephew of Gen. Barksdale's, stated that a cargo of sixty thousand military blankets arrived at Southern ports a few days since, and were all consigned to the Army of the Potomac.

General Lee is now in Fredericksburg, where he has taken up his abode for the present. Gen. Beauregard is in command of the original fire eaters, has command of the place.

The bitter animosity which existed between the respective armies at the commencement of the war, has to a great extent disappeared. Said one of the guards to the ambulance lieutenants, on their arrival, while crossing the river for the last time, "It seems now as if I could nohow raise my gun to shoot you any more." The drivers were permitted to bring back all the medical stores which the surgeons did not use.

The Twenty-fifth New York Col. Johnson, (Kerrigan's old regiment,) is now under arrest for refusing to do further duty. D. W. JUDD.

FROM BRAGG'S ARMY.

Tullahoma, Tuesday, May 12—Gen. Bragg reviewed the Northern Alabama troops yesterday. He addressed them briefly in highly complimentary terms. He gave them a spirited and encouraging account of the situation in front, and expressed the ardent hope that they may meet an attack of the enemy. He leaves today to inspect the front. All quiet.

The Destruction of Jackson, Miss.

The Mobile *Tribune*, of the 21st, gives an account of the destruction of Jackson, from an extra of the Brandon (Miss) *Republican*. We publish the most material part of it:

In order to ascertain the amount of damage done by the enemy during their forty-eight hours occupation of the city of Jackson, we went over and took a careful survey of the place yesterday morning, and give below the result of our observations. We could not get a complete list of the property burned and otherwise destroyed, owing to the great confusion in the city. The following buildings were burned:

Green's cotton factory, together with all the machinery, 300 bales of cotton, and all the buildings connected with the factory; Philip's factory, and all the small buildings connected therewith; J. A. Stevens' foundry, Bailey's cotton shed, containing a large quantity of tar, lime, cement, etc; Catholic church and parsonage; Mrs. Bakewell's house and contents; Confederate House, together with furniture, etc; Railroad depot, and all the buildings immediately adjacent and north of the same; State Penitentiary, with all the machinery; flouring mill, near Philip's factory; all the houses on State street, from Shaw's store to Graves' corner, including Green's banking house; Ambrosier's grocery; Allen & Lane's store, and Greve's large brick building, with a number of small intervening houses; all the houses on the south side of Pearl street, from State street to the Mississippi Bapt