# NEW ORLEANS REPUBLICAN.

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## AMUSEMENTS.

**ACADEMY OF MUSIC.**

**Wednesday Evening, June 15, 1870.**

GRAND VARIETY ENTERTAINMENT.

Complimentary Benefit tendered to
GEORGE KESLER,
Machinest of the Academy, by the talented and popular Amateur Minstrel Organization,

THE EXCELSIOR SERENADERS,

And numerous Professionals and Amateurs, presenting a selected and varied programme of Songs, Dances and Ethiopian Eccentricities.
Doors open at half-past seven o'clock; performance at half-past eight. Box office open from nine A. M. to four P. M., to secure seats. je12

**GRAND ORCHESTRAL AND VOCAL CONCERT,**

Under the Management of
CHARLES BOTHE, L. MAYER AND M. KERNBERGER,

**On Saturday, June 18, 1870,**

AT THE TURNER HALL,

Corner of Lafayette and Dryades streets, on which occasion the Distinguished and Favorite Artists,

MISSES SELMA AND JEANNETTE FRANKO,

Will perform several Solos on the Violin and Piano.

**The Orchestra Consists of 50 Musicians**

PROGRAMME:

PART FIRST.

1. Overture—"Freischutz"—Carl Maria von Weber. Orchestra.
2. Souvenir de Bellini—Fantasie for the Violin—Solo—Artot. Executed by Miss Jeannette, accompanied by Miss Selma Franko.
3. Tenor Solo—"Das Bild der Rose"—Neithardt. Sung by M. Kernberger.
4. Polonaise for the Piano in C minor—Fr. Chopin. Miss Selma Franko.
5. Overture—L. Maurer. Orchestra.

Intermission of ten minutes.

PART SECOND.

6. Overture—"Robespierre" (new)—Litolf. Orchestra.
7. Concerto for the Piano—Felix Mendelssohn Bartholdy. Miss Jeanneatte Franko, with Orchestra accompaniment.
8. Grand Air from "Martha"—Flotow. Sung by M. Kernberger.
9. "Freudvoll und Leidvoll"—Piano Solo for the Left Hand—Willmers Miss Selma Franko.
10. Marche aux Flambeaux, No. 1—G. Meyerbeer. Orchestra.

Tickets.......... $1.
Doors open at seven o'clock. Concert to commence at eight o'clock.
After the Concert, "SOIREE DANSANTE."
The Grand Steinway Piano used on this occasion has been kindly furnished by Mr. Grunewald, No. 120 Canal street. jel2 6t

## REWARDS.

**$500** REWARD—WILL BE PAID TO any person, and no questions asked, who will find MY CHILD, a girl seventeen months old. She was carried away from my door, at the corner of Howard and Poydras streets, at seven o'clock, Thursday evening, the ninth instant, by a colored woman named Martha, who is well known. The child has light hair, fine blue eyes; had no shoes or stockings on; wore a brown calico dress. The child is rather handsome.
je 5 1t* THOMAS DIGBY.

## LOTTERIES.

**DRAWING OF THE LOUISIANA STATE LOTTERY FOR JUNE 14, 1870**

CLASS 140.

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 72 | 63 | 24 | 39 | 30 | 15 | 58 | 66 | 42 | 4 | 3 | 60 | 36 | — | — |

The above drawings are published in all the principal papers, and are drawn in public daily at the rooms of the Company.
Information furnished and prizes cashed by
HOWARD, SIMMONS & CO., Contractors,
St. Charles street, corner Union, New Orleans.

Witness our hands at New Orleans, Louisiana, this fourteenth day of June, 1870.
H. PERALTA,
ADAM GIFFEN,
Commissioners.
BEWARE OF BOGUS LOTTERIES. ap28

**LOUISIANA STATE LOTTERY COMPANY,**

Incorporated August 17, 1868.
CHARLES T. HOWARD............PRESIDENT.

**SINGLE NUMBER LOTTERY.**

SPLENDID SCHEME—ONLY 20,000 NUMBERS.

**Capital Prize..........$50,000.**

CLASS H,

TO BE DRAWN AT NEW ORLEANS ON **Saturday, June 25, 1870.**

HOWARD, SIMMONS & CO., Contractors.

SCHEME:

**20,000 Numbers—Tickets Only $20.**

| | |
|---|---|
| 1 prize of $50,000 is | $50 000 |
| 1 prize of 30,000 is | 30 000 |
| 1 prize of 20,000 is | 20 000 |
| 1 prize of 10,000 is | 10 000 |
| 1 prize of 9,000 is | 9 000 |
| 1 prize of 8,000 is | 8,000 |
| 1 prize of 7,000 is | 7,000 |
| 1 prize of 6,000 is | 6,000 |
| 1 prize of 5,000 is | 5,000 |
| 1 prize of 4,000 is | 4,000 |
| 1 prize of 3,000 is | 3,000 |
| 1 prize of 2,000 is | 2,000 |
| 1 prize of 1,000 | |
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| 1 prize of 1,000 | |
| 1 prize of 1,000 | |
| 1 prize of 1,000 | |
| 1 prize of 1,000 | |
| 80 prizes of 500 are | 25,600 |
| 317 prizes of 200 are | 63,400 |
| 440 prizes, amounting to | $280,400 |

Whole Tickets, $20; shares in proportion.
Prizes payable without deduction.
Orders to be addressed to
CHAS. T. HOWARD,
Lock box 692, Postoffice, New Orleans.
Send postoffice money order, or register your letter. fe

## REMOVALS.

**REMOVAL..........REMOVAL.**

The undersigned has removed his STONE YARD from the old stand, on Customhouse street, to the

**ARTIFICIAL FREAR STONE YARD,**

on Poydras street, between Locust and Freret streets, and the office to No. 36 Natchez street.
In extending and consolidating his business with the Frear Artificial Stone Company, he would express his thanks to a generous public, the patrons and friends of a business of thirty-eight years standing in this city, and would solicit a continuance of the same to the Louisiana Frear Stone Manufacturing Company. NEWTON RICHARDS.

Referring to the above, the FREAR ARTIFICIAL STONE COMPANY will furnish their STONE, also, Granite and Marble for all purposes of building, fronts of stores and dwellings, steps, window sills, lintels, tombs, monuments, flagging for banquets, yards, garden walks, etc.
Particular attention of property holders, architects and builders is called to the Artificial Frear Stone, now offered as a beautiful and economical substitute for brick and plastered fronts of buildings, and suitable for cornices, window trimmings, wall copings, front fences, etc.
NEWTON RICHARDS, President.
JAMES CLARK, Secretary.
Depot for the sale of RICHARDS' CAPE LIME.
ap13

## BOOKS---BOOKS.

**A BOOK FOR THE MILLION.**

**Marriage Guide,** a Private Counselor to the Married, or those about to marry, on the physiological mysteries and revelations of the sexual system, with the latest discoveries in producing and preventing offspring, preserving the complexion, etc.
This is an interesting work of two hundred and twenty-four pages, with numerous engravings, and contains valuable information for those who are married or contemplate marriage; still it is a book that ought to be under lock and key, and not laid carelessly about the house.
Sent to any one (free of postage) for Fifty Cents.
Address Dr. Butts' Dispensary, No. 12 North Eighth street, St. Louis, Mo.
NOTICE TO THE AFFLICTED AND UNFORTUNATE.
Before applying to the notorious quacks who advertise in public papers, or using any quack remedies, peruse Dr. Butts' work, no matter what your disease is, or how deplorable your condition.
Dr. Butts can be consulted, personally or by mail, on the diseases mentioned in his works. [illegible]


## CITY COUNCIL LAST NIGHT

Mr. Emley presiding, and present, Messrs. Delassize, Pierce Bonzano, Shaw and West.

The resignation of Mr. S. A. Stockdale, a School Director, was accepted.

Mr. Delassize reported in favor of paying $2800 for rent of building opposite the City Hall, but stated that the amount is excessive.

Mr. West stated that he had given to Q. A. Thomas a contract for ten thousand barrels of shells; thirty-eight cents per barrel. Approved.

Resolution granting $600 per year to City Surgeons for vehicles, was adopted.

A piece of vacant property, belonging to the city, near the Customhouse, was leased to A. W. Moffett for $12.0 per annum.

Certain citizens residing on Gentilly Road were granted right to form an independent fire company.

The wood and coal ordinance was amended, making two divisions.

That dog ordinance was taken up, and Mr. Delassize proposed to amend by imposing a tax of one dollar per head per annum. Lost.

The resolution fixing the tax at two dollars per head was adopted, the city to supply metal plates and numbers. Persons counterfeiting plates will be punished by law; informers obtain no reward. The law is to go into force on the tenth of July.

This year's license will be for six months, one dollar per dog, until the close of the present year.

Four score or more petitions, propositions and communications were taken up and disposed of. Most of them will not interest our readers in the least.

Subject of removing the Criminal Court room to the old Orleans Ballroom was considered and adopted. Mr. Girardey, proprietor, for the present charges only sixty dollars per month, he offering to pay one-half the expenses necessary to fitting up.

Ordinance creating a second-class floating debt was adopted on second reading.

DEPARTMENT OF PUBLIC ACCOUNTS, New Orleans, June —, 1870.

To the Council of the city of New Orleans:

I have the honor to submit reports on the several subjects named, which seem to require action of the Council:

CORONER'S BILLS.

The Coroner's bills for the month of May have been presented, and I shall need the instructions of the Council as to how I shall act upon them, unless the Council will make another reference.

The reports of the Coroners are more full and detailed than those heretofore presented, and I have found every disposition on their part to furnish any information required. But the same objections exist as formerly in the number of inquests held and the proportion they bear to the "views without inquests."

The law requires in case of violent death, that the Coroner shall repair to the place and "view" the body. This costs five dollars; and the Coroner is justified in going in all cases of death by accident and suicide, as well as suspicion of violence. But only, when after due inquiry by himself, he has good reason to suspect death by foul means, is he justified in putting the city to the expense of an inquest, for holding which he draws $25, and for summoning and impaneling $5, and the jurors draw $10, or $2 each, making the expense of each inquest forty dollars.

The return of the Second and Third Districts for April shows thirty-nine inquests, costing forty dollars each, two views at five dollars each, and five burials at twelve dollars each.

For May forty-five inquests, nine views, twelve burials.

The verdicts in the eighty-four inquests show but three cases of supposed homicide.

According to the meaning of the law, the Coroner is supposed, after his own examination, to have suspected eighty-one cases of murder; and it required the verdicts of these juries of unprofessional men to remove his suspicions or doubts.

Henry Long, Deputy Coroner First and Fourth Districts, served as a juror in twenty-five inquests held by Coroner Roche during the month of April, and on twenty-one inquests held during month of May.

J. D. Cole appears as a juror in forty inquests in April and thirty in May.

The returns of the Second and Third Districts show the name of J. Reys figuring as a juror twenty-four times in April; L. J. Allain thirty-eight times in May and twelve times in April; G. Reneaud twelve times in April.

As a sample of "crowner's quest law," the case of a still-born male child is thus intelligently disposed of:

"We the jurors, etc., after a careful examination of the body, find that the deceased came to death from being still-born.

(Signed) HENRY G. LONG,
his
JOSEPH X SCHWATZ,
mark
his
JOHN X CALHOUN,
mark
his
JOHN X DUNN,
mark
JAMES D. COLE,
Jury."

In another case, that of a babe eight days old, which died of spasms, the jury, all but one of whom sign their names with a mark, came to the conclusion that after a careful examination of the body, etc., "they find that the child died of spasms, and that no blame attaches to any one."

There are many other cases where death resulting from still birth, small-pox, pneumenia, etc., where the certificates of a physician would be far preferable and much cheaper than the holding of inquests by men who sign their names with a mark.

The fee of the jurors is two dollars per day, payable out of the city treasury and receivable for taxes. The treasury is besieged daily with demands for their payment or their acceptance for taxes, to the embarrassment and confusion of the tax accounts.

I have reason to believe the Coroners will comply with the reasonable desire of the Council in these matters. It is due to them to say the abuses are of long standing, and do not owe their origin to the present occupants of those positions.

I have thus examined and given the result of my examination as required by my office; but I suggest that for a satisfactory arrangement with the Coroners for the future, as well as compromise of past accounts, the matter should now be referred to the Department of Police, as it is only in aid of the courts and officers of justice, that Coroners and inquests are needed. The jurors, if they must be paid two dollars per day, should be competent and intelligent men of the vicinage, called in only in cases of suspicion, and not professional jurors taken along for the purpose.

TRANSFER OF JEFFERSON MORTGAGES.

Mr. McCormack, Recorder of Mortgages, presents a bill of $283 50 for copying and furnishing book for mortgages, to be deposited in the Mortgage office for the parish of Orleans.

This is the beginning of a work which Mr. McCormack has informed me, verbally, may cost the city of New Orleans rising $45,000.

It arises under an act of the Legislature requiring him to copy and deposite all acts of mortgages affecting property between the lower line of Carrollton and the lower line of the late Jefferson City, at a cost "not exceeding" $1 50 per inscription.

It is due to Mr. McCormack to say that he appears to have had nothing to do with the drafting or passage of the act, which was originated by a few notaries of the parish of Orleans for their own convenience, to save them the trouble of sending to Carrollton for certificates of Jefferson City property.

It has never been considered a great hardship for vendors of property within a former parish or county, as has happened hundreds of times in different States to have searches made and certificates given in the former district.

Even if it is the duty of the city of New Orleans to provide for the convenience of these vendors in all cases, it could [illegible]

and expenses for less than half the interest on the cost of such a job.

These records of the parish of Jefferson are public, and the city of New Orleans should have the right to make its own contracts for what it has to pay. Whether the act is valid and binding upon the city, or should be contested from the beginning, is a question on which I suggest that the City Attorney be consulted.

SECOND CLASS FLOATING DEBT.

One of the great objects of the act creating the present form of city government was to dispose of the floating debt of the city, so as not to be an embarrassment to the Administrators. The avowed design was to enable them to fund all floating claims, and apply the current resources of the city to proper expenses and improvements, the payment of all interest, and the gradual sinking of the debt by a process just and impartial to all creditors.

But the charter, in the financial sections, has proved itself crude and imperfect as confessed by its designers and advocates. The definition of the floating debt is narrow and restrictive, and no provision whatever is made for claims and debts not strictly enumerated. It is encouraging to know, however, that the floating debt claims provided for by the charter can all be paid, and more than paid, by the three million bonds, even at their minimum price. This leaves the Administrators no difficulty to grapple with except what may be denominated the second class floating debt. Second, not because it is inferior in its binding or validity, or in the value it should command in the market. It is in our power to make it equal to what is merely ranked as first, because provided for in a peculiar way by the charter, and named first in order.

I respectfully submit an ordinance, which may serve as a basis, and amended and rendered more perfect by the suggestions of Administrators and business men out of the Council, may relieve the city from the constant pressure of claims existing prior to the going into effect of the present charter.

An ordinance to provide for the relief of the creditors of the city, holding claims not provided for by the city charter.

SECTION 1. Be it ordained by the Council of the City of New Orleans, That all holders of claims (except judgments) against the city of New Orleans, matured prior to the fourth of April, 1870, or under contracts existing at that time shall, upon application to the Administrator of Public Accounts and the surrender of their evidences of debt for that purpose, and on his report and the approval of the Council, be entitled to a certificate under the provisions of this ordinance, or in default of approval, the evidence of debt shall be returned.

SEC. 2. Be it further ordained, That such debt, it arising from a registered bill, shall bear interest from the approval of the Finance Committees, or if passed by resolution, then from the date of the resolution. But if arising from any other form of debt than a registered bill the certificate shall bear interest at the rate of seven per cent per annum from the issue of said certificate.

SEC. 3. Be it further ordained, etc., That such interest, at the rate of seven per cent per annum, shall continue until further and otherwise ordered by ordinance of the Council or by act of the Legislature; provided, that in case of suit against the city, the same shall terminate from judicial demand, and the city shall not hold itself liable to pay more than the legal rate of five per cent per annum interest from the institution of such suit.

SEC. 4. Be it further ordained, etc., That the first payment of interest under this ordinance shall be due on the first of July, 1870, for interest running back six months or more, and on the first of January, 1871, in all other cases; and thereafter semi-annually until the extinction or liquidation of the debt or the repeal or modification of this ordinance by the Council or the Legislature.

SEC. 5. Be it further ordained, etc., That the certificates shall name the principal due, and the time from which interest shall be computed, and shall refer and be subject to the terms of the present ordinance. They shall be signed by the Mayor and Administrator of Finance, and attested and registered by the Administrator of Public Accounts. They shall be payable to the original holder or bearer, and shall be transferable by delivery.

I suggest that this ordinance lie over for amendment and careful consideration, or the substitution of any other plan which your wisdom, or the advice of business men, may suggest.

ALFRED SHAW,
Administrator of Public Accounts.

### Texas Meat and Fish Preserved by Refrigeration.

The steamship Fire Fly, which arrived yesterday from Rockport, Texas, is one of a line of steamers in the employ of the United States and West Indies Fresh Meat and Fruit Company, and brings from Texas a cargo of meat and fish preserved by refrigeration. The vessel itself is fitted up as a refrigerator, and is so arranged that the temperature in her hold can be reduced to a very low point, and so kept during a long voyage. The meat, mainly constituting her cargo, was slaughtered one week ago in Rockport, Texas, and arrives here in as sound condition as if killed yesterday.

The method used in preserving this meat is said to be far superior to the method commonly employed in this city during the warm season, namely, by depositing it in ice, as it is known that meat so kept will taint very soon after exposure to the air, besides which it has not the same flavor as has freshly killed meat. The company owning or employing the "Fire Fly" have two more vessels employed, which may shortly be expected at this port, and the company propose to make New Orleans their principal base of operations.

The vessel came here in charge of Mr. J. M. Dalton, secretary, and Mr. J. H. Ridgeway, treasurer of the company. Mr. H. P. Howard, one of the managers of the company, came also in the "Fire Fly." It is claimed by the United States and West Indies Fresh Meat and Fruit Company that their method of refrigeration and transportation will ensure a supply of perfectly healthy meat, inasmuch as the cattle being slaughtered on the spot, instead of being transported alive, will escape the feverishness incident to long travel, which has a deteriorating effect upon the meat when put in the market. Last night the employes of the company were busily engaged in landing their cargo, and conveying it to warehouse No. 131 New Levee, where this morning it is ready for the inspection of a food desiring public.

### Payment of Teachers.

Fifteen-thirty-oneths of the salary of the teachers of New Orleans and Jefferson for the month of March will be paid at the Department of Finance, City Hall, on Saturday next. Fifty-four of the two hundred and ninety-five teachers had transferred their salaries, and the brokers and transferrees had filed their orders at the City Hall among the floating debt claims, otherwise the rolls would have been ready last Saturday. We advise teachers to transfer no more of their salary. The first half of March, and all the unpaid months preceding, will be taken up in a week or two, by interest bearing certificates, transferrable from hand to hand, which will be worth so near par that those who submit to a shave will regret the loss they have suffered. No salary for March for the Algiers public schools was passed by the city authorities, they being in possession of no roll for that month.

There is a capital of $10,000,000 invested in the manufacture of lager beer in this coun-

## THE COURTS.

### The Sulphur Mine Case.

Escoubas & Lowell vs. Louisiana Petroleum and Coal Oil Company.—In this case Judge Theard of the Fourth District Court yesterday rendered the following decision:

This case comes before me on a motion to stay and quash the writ of possession herein issued in obedience to the mandate of the Supreme Court, upon the ground that plaintiffs have sold litigious rights, pending this suit on appeal, to A. Bonneval and others, which rights defendants now claim, upon payment of the price of sale, under article 2622 of the Civil Code. It is contended that by said sale and transfer, Escoubas and Lowell, the original plaintiffs, have become juridically dead; that the writ can not issue in their favor, but must issue in favor of defendants, who claim to be legally entitled to be subrogated to the rights of the transferees.

Upon an examination of the act of the third of March, 1870, before J. G. Eustis, notary public, which has been offered in evidence to prove the sale of the litigious rights in question, I find the deed an act of lease and not an act of sale. Escoubas and Lowell still remain the owners of the lands. It does not appear from the act that they have sold anything, but have entered into a contract of lease of the lands for a term of years, and for a consideration therein set forth and expressed. There is no evidence that Escoubas and Lowell have alienated their rights as owners, and therefore they can not be considered as juridically dead, but entitled to have their writ executed.

I do not understand that defendants claim the lease from Escoubas and Lowell to the Calcasieu Sulphur and Mining Company of Louisiana. If this be their demand it must be rejected, for the lease of the third of March, 1870, was not in litigation. This claim is for the possession of the lands until fifth of October, 1875, because that possession was the subject of litigation in this suit, and they alleged that it has been sold pending the appeal to third parties.

I do not find the allegation sustained by the evidence adduced. If there was a sale of litigious rights, what was the price paid? There can be no sale without a price. There is no price stipulated to be paid for the privileges granted by section sixth of the act and assumed by the lessees.

It can not be contended that the price was $20,000 in money, and half of the capital stock of the company to be organized, for the deed recites that this was the price and consideration of the lease, and not a consideration for any litigious rights represented to have been sold.

Escoubas and Lowell contract with the lessees, as follows: They say, it seems to me, "for the sum of $20,000 in money, and one-half of the capital stock of the company, to be paid as stated in the act, we lease you the lands for ninety-nine years, the lease to commence from the date of the act; but we do not obligate ourselves to put you in possession of the premises before the fifth day of October, 1875, because of a law suit now pending, which prevents us from giving you the immediate possession of the lands now leased."

They say, further: "You shall be entitled to the possession before the fifth day of October, 1875, if you, the lessees, can obtain possession by legal proceedings, by compromise, or by other means; and we authorize you for this purpose to carry on this suit, which stands in your way, at your cost and risk, to final adjudication."

This proposition the lessees accept. Nothing was paid for the privilege, but the stipulation seems to have been made for the mutual benefit of both parties; for the sooner the possession was obtained, the sooner dividends on the stock held by both parties might be expected.

In these mutual covenants between the lessors and the lessees, there has been no sale of a litigious right. Defendants have shown no cause of action, and the motion must be refused.

I have thus expressed my views upon the question of the sale of litigious rights, because it is the ground-work upon which this motion is based, and because it is forced upon me by the nature of these proceedings. But I do not wish to pre-judge a case which may come up before me in another action, and I will reserve my final opinion until the question is more regularly presented to the court for adjudication. There must be a strong case and a clear showing made to induce me to stay a writ of the Supreme Court, and such a case has not been presented here.

At all events, I doubt whether, under the ruling in the case—State vs. Judge Second Judicial District Court, 20 Annual, 521—I have the right to interfere with the mandate of the Supreme Court. My duty is simply to see that it be obeyed and executed according to the decree.

It is therefore ordered that the motion be dismissed.

### Eighth District Court—The Jackson Railroad Case.

In this case Mr. Semmes moved for execution. Judge Dibble said the judgment was not signed, and it might be proper to wait three days before proceeding further.

Mr. Semmes said that this proceeding being by *quo warranto*, was in the nature of a criminal action, and execution should be immediate. He referred to decisions of the Supreme Court in support of this view.

Mr. L. E. Simonds quoted article 146 of the Code of Practice, to the effect that a delay of three days must elapse before the signing of a definitive judgment. Articles 756 and 757 of the Code of Practice were also quoted in support of this view. He also referred to the cases in 3d La., 482, and 4th Rob. p. 59.

Judge Dibble said this was a summary proceeding, and as there seems to be some doubt as to the practice of the different courts on the subject, he would construe that doubt in favor of the party cast in the suit, and allow the three days to elapse before signing the judgment.

### Eighth District Court.

William Durbridge vs. John M. Grace et al.—Judge Dibble has delivered the following decision in this case:

This case has been heard upon a rule *nisi* for an injunction. The plaintiff avers in his petition that he had a certain contract with John M. Grace, one of the defendants, in relation to a steamboat; that one of the terms of the contract was that in event of a disagreement between them, the matter should be referred to arbitrators, who should choose an umpire if they failed to settle the dispute. Plaintiff further shows that he disagreed with Grace; arbitrators were chosen, who failed to determine the matter, which was by them submitted to F. W. Delesdernier as umpire. But plaintiff avers he refused to abide by the decision of the umpire, so appointed, because he did not think it fair and equitable. Thereupon Grace brought suit against him in the Seventh District Court to enforce the arbitration. The court, plaintiff asserts, sustained his objections to the award of Delesdernier, but, without legal warrant, referred the matter back to the umpire for reinvestigation.

Plaintiff complains of this portion of the decree of the Judge of the Seventh District Court, and avers that it will work him irreparable injury. He asks for an injunction against Grace and Delesdernier to prevent them proceeding with arbitrators under the order of court as aforesaid.

Defendants answer and briefly state the facts. They plead to the jurisdiction of the court.

I have already expressed the view that the act creating the Eighth District Court, with exclusive jurisdiction of injunction suits, expressly excepts such writs issuing from other courts to restrain order of seizure and sale, and of final judgments and decisions of such courts., Walker vs. Maxwell.

It is clear to me, in this case, that the judge of the Seventh District Court had the power, under the law of the sixteenth of March aforesaid, to have issued this writ.

But plaintiff complains that the Seventh District Court had no further power than to pass upon the validity of the award of Delesdernier, and could not remand the matter for further proceedings. The judge of that court decided that he had such

can not be reviewed in any other than an appellate court.

Whenever, under the law of sixteenth March, another District Court in this parish has the power to enjoin its own decree complained of, the writ ought not to be sought from this court, and will not issue.

There are cases contemplated by the act aforesaid, in which injunctions may exclusively issue from this court in matters depending before the other District courts; and in which cases the records of such proceedings could be transferred to this court having the exclusive jurisdiction to grant the relief. But such cases only arise when the acts sought to be enjoined are connected with the judgments or decrees of said courts.

It was with the supposition that this was such a case that the restraining order was granted.

It is, therefore, ordered, adjudged and decreed that the injunction prayed for be refused, reserving to defendants the right to proceed to recover damages for the delay occasioned by the suspending order herein granted. Plaintiff to pay all costs.

### The Slaughterhouse Case.

Slaughterhouse Company vs. Metropolitan Police Board et al.—This case came up yesterday in the Eighth District Court, on a motion to dissolve the injunction made on the part of the city of New Orleans. Mr. J. R. Beckwith asked leave to join with the city in the motion. Among the grounds taken by the city is one to the effect that the defendants are rendered liable to damages by obedience to the writ to the amount of $50,000, and that the bond of $3000 given by plaintiff was insufficient.

That they were required to proceed against the property of third persons, not parties to the suit, without having any writ or process against the persons so affected.

That the act creating the Slaughterhouse provides that it shall perform its own police powers, etc.

Mr. Lacey, for the city, here read the motion for the dissolution of the injunction.

Mr. Joseph P. Hornor, counsel for the Slaughterhouse, asked leave to enter an order, which was granted by the court and acceeded to by Mr. Lacey, which modifies the writ of injunction issued:

"And now before the court comes the said plaintiff, and shows the court that it was not the intention of the plaintiffs in the suit of injunction to embrace within the provisions of that writ salt or preserved meat, slaughtered beyond the parochial limits of Orleans, Jefferson and St. Bernard; and to that extent plaintiffs in the suit consent to a modification of such suit without prejudice to either party."

After the filing of this order of modification, the rule taken by the city to dissolve, through Mr. Lacey, City Attorney, was continued over, by consent, for a week.

Then was called up that phase of the case in which Messrs. Cotton and Fellows were to appear as *amici curiæ*.

Mr. Fellowes and Judge Cotton declined to appear as friends of the court, since the city and the Metropolitan Board and the Slaughterhouse Company had come into court. They said these gentlemen could take care of themselves.

Judge Dibble suggested to these gentlemen to argue the case, so that he might get all the light he could upon it.

Mr. Fellows said he did not propose to be made a tool of to gratify any of the parties litigant. He had only appeared upon the written request of the court, but had decided that until the parties he represented were made defendants he should not argue the case.

After Mr. Fellows and Judge Cotton, who appeared as *amici curex* had declined to act.

Judge Dibble said that he desired to have the matter argued, and if it could be shown that the injunction had been improvidently issued he would dissolve it, but if after the argument he was still of opinion that it had been imprudently issued, he would see that the order of his court was obeyed. Judge Bradley, or any other Judge of the United States Court to the contrary, notwithstanding. He characterized the acts of Judge Bradley in relation to this case, as unwarrantable, revolutionary in their character, and subversive of all law and order.

He wished it understood that the order of his court, based upon the order of the highest tribunal of the State of Louisiana, which has passed upon the issue in question, and has declared in favor of the constitutionality of the Slaughterhouse act, would be obeyed and executed at any and all hazards.

It was agreed, after consultation, that the rule to dissolve should be argued at the same time on the part of the Slaughterhouse, the city and the Metropolitan Police Board.

The argument was participated in by Mr. Beckwith, Mr. Lacey and Mr. Hornor. The latter in closing, said that the theory of Wendell Phillips was true, that the States, with respect to the general government were in the position of mere counties. The decision of the case was deferred until Monday next.

### Sixth District Court.

Bernard Avegno vs. Opera House Company.—In this case Judge Dibble yesterday rendered a decision forbidding the sale of plaintiff's pew in the Opera House.

### United States Circuit Court.

The grand jury empanelled in this court, yesterday brought in true bills of indictment against J. H. Alexander, for falsely representing himself to be a revenue officer, and against E. H. Gruber, for receiving a gratuity. There are four charges against the latter of the same character.

### New Lines to the Lake and Carrollton.

New Orleans is occasionally stigmatized by our Northern and Western friends as being behind the age and old foggish in many respects, and we have been compelled to confess there has been some truth in the charge. But in one particular, at least, we have little to fear in a comparison with the most go-ahead city, and that is in our street railroads. We hail with pleasure every addition to the lines which now ramify the city in every direction, and in the selection of the new routes to Carrollton and the Lake which have given rise to these remarks. The gentlemen of the New Orleans, Metairie and Lake Railroad Company have shown sound discretion and a judgment which must redound to the advantage of the stockholders. The Carrollton line will be so direct that there will be every inducement for all *through* passengers to take the new route, and the many attractions along the route of the Lake line must render it one of the principal arteries of summer travel. The establishment of the New City Park, the Cemeteries, the race courses, as well as the prospective improvements at the lake itself, and the immense advantage of a central starting point, the main passenger line running along Canal street, from the levee to Basin street, insure a large travel. The privileges of the company are exceedingly valuable, and embraced as they are in their charter from the State, which, by the by, is perpetual, are not subject to the fluctuations and periodical attacks which those granted by the city have to contend with.

The books of subscription to the stock of the company are opened to-day, and as the commissioners, Messrs. Alfred Shaw, Duncan F. Kenner and E. S. Wurzburger, are not the men to let grass grow under their feet, it would be well for those intending to become subscribers to call at No. 6 Camp street as soon as possible. The election of directors and permanent organization will be effected as soon as 2000 shares are subscribed.

The Canton *Republican* complains that gambling is still carried on to a great extent on the New Orleans and Jackson Railroad, and that there can be almost invariably found from one to a half dozen sports from Canton and Jackson, who are ripe for a game of anything that they can draw the uninitiated into. It is generally run into three card monte, a [illegible]

# BY TELEGRAPH.

LATEST NEWS FROM ALL POINTS

Red Cloud Departs Unconciliated

ANTHONY AND CRAGIN RE-ELECTED

Water Guage on the Mississippi

DEBATE IN THE HOUSE ON CUBA

Strict Neutrality Resolution

THE UTE INDIANS THREATEN WAR

TERRIBLE TORNADO TWO MILES WIDE

DOMESTIC AND FOREIGN MARKETS

## WASHINGTON.

**Half a Million Revenue Receipts—Red Cloud Departs Unconciliated—Naturalization Bill—Senators Anthony and Cragin Re-elected—Consular Certificates of Chastity for Chinese Women—Water Gauges on the Mississippi—Consulate at Port Said—Mississippi River and Lake Michigan—Debate in the House on Cuba—Banks Introduces a Strict Neutrality Resolution.**

WASHINGTON, June 14.—Internal revenue receipts to-day $500,000.

Secretary Boutwell will return on Friday.

Red Cloud and his companions departed to-day without being conciliated.

The naturalization bill, which passed the House, leaves naturalization with the State courts, but empowers the Federal courts to punish fraud. The time of residence requisite to naturalization is unchanged.

Senators Anthony, of Rhode Island, and Cragin, of New Hampshire, were re-elected to-day by their respective legislatures.

*Senate*—A resolution of the California Legislature was presented, asking the passage of a law requiring Chinese females to bring with them consular certificates of chastity.

On motion of Mr. Casserly the President has been requested to inform the Senate whether during the progress of hostilities in Cuba, any American citizen has been executed without due process of law, and any American vessel unlawfully seized, or the property of any American confiscated, or laid under embargo, and what steps, if any, have been taken by our government for redress.

The bill authorizing the building of a bridge at Little Rock, passed.

A joint resolution authorizing water gauges to be established and observations to be made upon the Mississippi river and its principal tributaries, with the view of obtaining information required for the protection of alluvial lands against overflow, and for the improvement of navigation, passed. The bill goes to the President for his approval.

An amendment establishing a consulate at Port Said, was adopted. The Suez Canal requires a consulate there.

The bill for the improvement of water communication between the Mississippi river and Lake Michigan passed.

The Committee on Public Lands reported a bill without an amendment granting lands to Alabama for a road from the Tennessee river to Gadsden.

*House*—This body has been engaged all day in a sharp debate on Cuba, and continues it to-night. Mr. Banks several times reflected severely on the President's message, eliciting applause from the galleries, and laughter from the Democratic side of the House. The debate has taken a wide range, but has developed no new features.

Banks, the chairman of the Committe on Foreign Affairs, reported a joint resolution directing the President to maintain a strict neutrality between the people of Cuba and the government of Spain, and directs the President to remonstrate against the manner in which the war in Cuba is waged.

Mr. Orth, of Indiana, from the minority committee, reported a joint resolution making it a misdemeanor to fit out ships of war to be used by a European power in making war upon American colonies.

Mr. Logan, of Illinois, offered an amendment to the resolution of Mr. Banks, giving to both parties the same advantages of intercourse and trade as is consistent with the international law.

Commissioner Delano is preparing new regulations for distillations from fruit. The amount of bond will be reduced, and other relief afforded.

WASHINGTON, June 14.—Mr. Banks' speech to-day was a general plea for Cuba, and mostly made up of well-known facts.

The debate to-night was quite bitter, the Masonic fraternity coming in for their share of praise and abuse. Mr. Wilkerson, another member of the Committee on Foreign Affairs, said he would not have joined in the debate were it not for the message which the President had seen fit to send Congress. He regretted that message very much because he was a friend to the President, and intended to sustain his administration so long as he was true to the party that elected him. It was exceedingly embarrassing to members for the President to transmit to Congress an argument against a report made by a committee. He, himself, did not propose either to be humiliated or driven out of the party in that way. He then went on to argue in favor of the report of the committee, taking ground that the Island of Cuba should belong to the United States, and that government should stretch forth its arm and seize all those West Indian Islands, and control their commerce.

He referred to the letter of October 13, 1869, from Secretary Fish to the Spanish Minister, as a complete answer to the President's message declaring that there was no war in Cuba. Secretary Fish had said in that letter, "The civil war in Cuba has continued for a year; battle after battle has been fought; thousands of lives have been sacrificed;" and now came the President and said, "There is no war and you are very great fools to believe one word of what Fish wrote to the Spanish Minister. Had there been any change of facts in Cuba to warrant this change of views on the part of the administration? Not at all; the murders still went on there. There were as many marshalled to-day under the Cuban flag as had followed General Scott to the halls of the Montezumas.

He scouted the idea of the government being restrained in its action through a fear of war; rather, said he, have war with Spain a hundred times over. Yes, with Spain and France combined than that this government should abate one jot of the title of its adhesion to Republican liberty.

He argued the commercial policy of obtaining the control of the West Indies and Mexico, and mentioned the fact of General Rosecrans saying to him the other day that the United States ought to control the commerce of Mexico, and that when he was Minister to Mexico he had eaten Westphalia hams at one dollar per pound when hams from Cincinnati and St. Louis ought to have been procurable there at twenty-five cents per pound, and yet the government would not aid General Rosecrans to go down there and seize hold of the commerce of Mexico, in a legitimate way, and hold it.

Referring to the President's allusion to Cuban bonds, he remarked that that was a contradiction to the rest of the message. If there was no government in Cuba, what could these bonds be but a myth? Who could be bribed by them? But it naturally raised the question whether there was not an influence of some kind used on the other side of the question. He should like to know whether the sub-committee that was inquiring into the use of Cuban bonds had made any inquiry into the amount of money expended by the [illegible]

vent the recognition of Cuba. He admitted that he knew nothing about it except hearsay, but whenever the cry of "mad dog" or "stop thief" was raised it might be safely calculated that there was something in the back ground which might be developed if properly inquired into.

Mr. Fitch advocated the report of the Committee on Foreign Affairs, and criticised and combatted the argument made in the President's message. He said the friends of Cuba did not want to make entangling alliances with European powers. It was the administration that had already made a practicable and disgraceful alliance with Spain, to assist in the suppression of the Cuba insurrection. As to the President's suggestion that a declaration of neutrality would subject American vessels to a search by Spanish cruisers in the Caribbean sea, he remarked that they were subject to such search and seizure, and instanced the seizures of Lloyd, Aspinwall and the Mary Lovell, which cases the administration had had the largest amount of diplomacy, the smallest amount of apology, and no compensation at all. As to the insinuations about Cuban bonds, if the President meant that the House ought to be careful of its reputation, lest the world should think it had Cuban bonds depending on its action for their value, he would beg to suggest that they still passed current and unchallenged. Referring to the story that Sidney Webster, son-in-law of the Secretary of the State, had received a large fee in gold for his professional services in inducing his father-in-law to order the release of Spanish gunboats, he remarked that a decent respect for the opinion of mankind ought to have suggested to Mr. Hamilthn Fish, the propriety of silencing that slander either by denial or admission. He said he was filled with shame and regret at the course of the administration, toward the struggling people of Cuba. He warned the President that some of his laurels would wither if he trusted their guardianship to those who had advised him on the Cuban question, and that the American people would pass swift and fierce judgment on those who had disappointed them in this matter. If the House yielded to the behest of the Executive power—if they disregarded the demands of justice, and changed their policy into a policy of helping the oppressor, and if this flame of liberty went out for ever in Cuba, they must answer it to their constituents. They must answer it at the day of judgment. (Applause.) The discussion will be continued to-morrow, and the House votes to-morrow night. The excitement is intense.

## NEW YORK.

**Arrivals Out of Steamships—Specie for Europe—Southerns Higher.**

NEW YORK, June 14.—Arrived out: steamers North America, Siberia and City of Brooklyn.

The steamer Westphalia sails with nearly $500,000.

Evening.—Money closed easy at 3@5, prime discounts at 6@7. Exchange firm, 9¾@9⅞. Governments closed quiet and firm, 1881, 117⅛; five-twenties of 1862, 111⅞; 1864, 111⅛; 1865, 111⅛; new, 113⅞; 1867, 113⅞; 1868, 113⅞; ten-forties, 108⅛. Southern securities higher in Tennessees, others closed steady; Virginias 68; new 68. Louisianas 70; new, 72; levee sixes 75½; eights 92½. Alabama eights 101; fives 73. Georgia sixes 88; sevens 95. North Carolinas 48⅛; new 24⅛. South Carolinas 93; new 82.

NEW YORK, June 14.—One of the most exciting base ball contests ever witnessed was played here to-day between the Atlantics, of Brooklyn, New York, and the Red Stockings, of Cincinnati, which resulted for the first time in the defeat of the heretofore invincible Red Stockings, after a closely contested game of eleven innings.

The following is the score by innings:

| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | Total. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Atlantic | 0 | 0 | 0 | 2 | 0 | 2 | 0 | 1 | 0 | 0 | 3 | 8 |
| Red Stockings | 2 | 0 | 1 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 2 | 7 |

NEW YORK, June 14.—Passage hence to all points west of Chicago, except Sacramento and San Francisco, has been reduced $4 95. Freights between Pacific and Atlantic cities reduced ten per cent.

## FOREIGN.

**Ship Wardenlaw Abandoned at Sea—Race Won by the Cambria—Dickens will be Buried in Westminster Abbey—British Gunboat Lost in the China Sea—Forty-Three Persons Perish—An English Captive Rescued from the Greek Brigands.**

LONDON, June 14.—In the House of Commons to-day Mr. Gladstone urged a consideration of the educational bill.

The archives of the English embassy at Constantinople were saved from the recent conflagration. The embassy have moved to a village on the Bosphorus, seven miles from the city.

The university bill was resumed in the House of Commons, and an amendment relieving doctors from subscribing to the formularies of faith, was rejected. Several other measures were advanced on a reading, and House adjourned.

Business in the House of Lords to-day unimportant.

A fraction less than five inches of rain fell throughout England this year.

The ship Wardenlaw, from Sunderland for New York, was abandoned at sea.

The Prince of Wales declines to offer a cup for a yacht race, unless the American yachts compete.

Some rain is reported in the interior counties within a day or two.

The yacht Cambria won the race from Dover to Bologne and back.

Charles Dickens will be buried in Westminster Abbey.

The British gunboat Clancy has been lost in the China Sea. Forty-three of the crew perished.

MADRID, June 14.—Bannells, one of the English captives, was rescued from the brigands. Four Spanish soldiers shot during the engagement.

Prim denies the reported attempt to raise money in America by hypothecation of Cuban revenues.

VIENNA, June 14.—Baron Von Buest is slowly recovering from his recent illness.

PARIS, June 14.—The Emperor is suffering from the gout. His condition causes much anxiety on the bourse.

MADRID, June 14.—It is rumored that a document containing ex-Queen Isabella's abdication has been received here.

Assurances have been given that the government will restore to Isabella the jewels purchased with her own money.

## MISCELLANEOUS.

**The Ute Indians Threaten War—Charged as a Burglar—Hitting Two Men a One Shot—Suspension of Newspapers—Fall of a Scaffolding—Terrible Tornado Two Miles Wide.**

CHICAGO, June 14.—The Ute Indians, heretofore most friendly, threaten war with a force of 10,000 warriors.

Their chief, Callaras, was killed by the braves for discouraging them with big stories about the power of the whites.

Many farmers along the Kansas Pacific Railroad are selling out and leaving.

ST. LOUIS, June 14.—David Murphy, who was charged by Lemoine, the burglar now serving a term in a Western Pennsylvania Penitentiary, with being engaged in the robbing of the safe in Franklin county, in March, 1866, publishes a card this morning, stating that the records of the Gasconade County Circuit will show that he was performing his duties as circuit attorney in that court during the time Lemoine alleges he was assisting him in the safe blowing. Murphy intimates that the so-called confession of Lemoine was put in circulation by the beneficiaries of an admitted embezzlement, to screen themselves from suspicion now resting upon them.

A special to the *Republican* has the following: A man named Williams shot another man named Wodrile, and crushed the skull of another man named Mason on Saturday night. The latter has since died.