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AGENTS: C. W. CHANE, 426 Montgomery St., San Francisco; W. W. WILSON, 210 Broadway, New York; T. O'CONNOR, 100 Broadway, New York.

CIVIL RIGHTS BEFORE THE SUPREMACY COURT AT NEW YORK.

Annetta Gilbert vs. The New York and Charleston Steamship Company. This action was brought by plaintiff, who is a colored woman, to recover \$10,000 for having been excluded from a stateroom of the steamer Manhattan, in November, 1870, on account of color, by the agents of the defendant.

The claim of the plaintiff in which her evidence was unimpeached, by other witnesses, was that a porter purchased a ticket for her from Charleston to New York; that this ticket assigned her to a berth in a certain stateroom; that on going to this stateroom she found it partially occupied by a white lady, who objected to her company; that the officers then offered her quarters in the forward part of the ship, refusing which she was ordered off the ship. On behalf of the defendant, proof was offered to the effect that the white lady objected to any one going in the state-room with her, she being sick; that on that account, and not because of her color, was plaintiff offered other accommodations; that when she refused such other accommodations, she was tendered her passage money, but this she refused, saying she would attend to that at the office.

In his charge to the jury as to the rights and duties of common carriers and hotel-keepers, as affected by the late amendments to the Constitution of the United States, in relation to colored persons, Judge Freeman said:

The colored people were thus put upon an equality before the law with the white population, so far as their civil and political rights were concerned. In relation to the civil rights which the plaintiff acquired by the purchase of her passage ticket? They were the same rights which every ordinary passenger acquires under the same circumstances; no more, no less. And that, in relation to the rights in the right to be safely carried, subject to such just and reasonable regulations as the carrier may establish concerning the particular mode in which it is to be done.

To make this proposition entirely clear, it will be more specific. It has always been regarded as an obligatory duty on the part of common carriers of passengers to carry all who present themselves. It is a duty which exists without reference to caste, race, or any other distinction. An exception arises where the applicant is subject to an infectious disease, or is otherwise offensive in person at the time; or grossly intoxicated, etc.

In such a case the carrier has not only a right to refuse, but in the discharge of his duty to the other passengers, he is bound to refuse. Apart from such exceptional cases, common carriers are bound to carry all who are willing to pay the stipulated fare.

But the accommodation of the passenger is a matter which may be regulated by the regulations of the carrier. When a person stops at a public inn it is the duty of the inn keeper to furnish him with accommodations; but it is not the right of the traveler to say that he will not have this room, that, or will sit at this table, or that, but he must take the room or place which is assigned to him by the inn keeper in consonance with the regulations of the inn or the exigencies of the occasion, and may be reason for the regulations of common carriers as to the separation of the sexes, the separation of the smoking from the non-smoking portion of the passengers, rest upon precisely the same grounds. Instead of using the language of Charles Sumner, in a similar case, where there is a feeling from some cause, though it arise entirely from the misconception and prejudice of man, so that one class will not travel with the other on terms of equality, and that case is so general in its application as to affect the business of the carrier, the latter will be held justified in making such an arrangement as, though it may involve separation and distinction, will not imply inferiority, but will equally accommodate both classes in their transportation. Whether an arrangement thus made is just and reasonable depends upon the circumstances of each case, and is a question of fact for the jury. This has always been the law as regards white passengers, and consequently colored passengers can claim no exemption from it.

The jury found in favor of plaintiff for \$75 damages.

A RITUALIST CONSPIRACY.—Steady going Protestants in England are very much alarmed by the announcement that a Ritualist organization has been formed for the purpose of buying up many vacant livings as possible and filling them with converts of "Catholic" views, who may be trusted to encourage and carry out to us near the mass as they dare. There are certainly always plenty of livings for sale, and if the Ritualists have command of adequate funds they will not find much difficulty in carrying out their plot. It is positively asserted that the beginning has been made with the rectory of Liverpool, which has been bought for £11,000, and of course there is nothing incredible in the story, for the Ritualists are very rich, very eager, and utterly unscrupulous in propagating their views. The only thing that makes us doubtful on the subject is that the clergy of the Church of England are all going over to Ritualism so fast that it is hardly worth while to spend much money in hastening the process. Here is an example of "Catholic" pranks in a Protestant church. A few days ago the Rector of St. James, Easter, a very high churchman, was buried with Ritualist honors. On the day of the funeral the body was placed in the church and watched all night by sisters of mercy, the curate and an acolyte. There was a large brass cross on the coffin, and candles were kept burning on the altar day and night. At the same time a laborer was buried without any services at all, because, when alive, he had committed the enormity of refusing to go to confession. It is not surprising that things should be so, when we consider that the public to angry protests and even rioting.—[London Correspondent, New York Tribune.]

"According to the love-lily of the pen," writes T. B. Aldrich, "when Laura and Charles Henry, after unobscured obstacles, are finally united, all cares and tribulations and responsibilities slip from their sleek backs like a Christian's burden." The idea is a pretty one, theoretically, but like some of those models in the Patent Office at Washington, it doesn't work. Charles Henry does not go on sitting at Laura's feet and reading Thackeray to her forever; the rent paid on the cottage by the sea falls due with prompt regularity; there are bakers and butchers, and bankers and tax collectors, and doctors and undertakers, and sometimes gentlemen of the jury, to be attended to. Wedded life is not one long unbroken, and blissful honeymoon. Yet when the average sentimental novelist has supplied

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