NEW ORLEANS DAILY BEE.
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TERMS OF THE BEE.
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Daily, per year, $12
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Weekly Edition, $5 per annum.
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Weekly Edition.
TERMS—PER YEAR.....$5.
NEW ORLEANS:
FRIDAY MORNING, MAY 3, 1872.
Announcements This Evening.
VARIETIES THEATRE.—"Panchon."
ST. CHARLES THEATRE.—The Marinetti Troupe.
ACADEMY OF MUSIC.—The Hernandez Troupe.
The Tax Resistance Movement.
On our French side will be found the names of our citizens who have subscribed to the call for a mass meeting, to be held in this city on Monday evening next, in the Odd Fellows' Hall, for the purpose of consulting and adopting measures with a view to resist by lawful means the further collection of State and city taxes. This list includes some five hundred names and they are those of our most substantial citizens — property-holders, commercial men, and others controlling large interests. We recite here a few of the more prominent ones: Charles J. Leeds, Louis Schneider, John Leeds, Hugh McCloskey, Henry Frellsen, Thomas K. Finlay, P. Poursine, Archibald Mitchell, John G. Fleming, Edward Burke, G. F. Freret, W. A. Freret, H. F. Wade, M. D., J. J. Cotson, E. B. Booth, M. B. Brady, Charles Jumonville, J. K. Bell, W. C. Black, W. Florance, E. Pochelu, De Warren Brickell, D. R. Carroll, T. H. Brady, Louis Mayer, D. P. Seaman, Ed. Conery, M. D./Lagan, Thomas F. Leathers, John M. Moore, Sr., Arthur Denis, Arthur Shiff, A. Rousset, J. Tuyes, Rice, Brothers & Co., A. Lapata, Geo Merz, H. F. Shrewken, Thomas Markey, A. Carrière, Augustus Reichard, Charles Lafitte, A. Dufilho, T. Bailly Blanchard, Jr., S. Cambon, P. Aldigé, Joseph N. Robert, Monier & Dumontre, Oemichen & Pothier, David R. Godwin, A. Couturié, Blanchin & Girand, H. C. Story, and Bouligny & Esclapon.
Mr. S. L. James requests us to state that he was not serious when he alleged that the existence of a Warmoth club in the city of Baton Rouge composed largely of Democrats. He denies the existence of any such organization.
Notwithstanding this denial we are satisfied that Gov. Warmoth wields more influence in the city of Baton Rouge than is advantageous for the people of Louisiana. Gov. Warmoth is not in the habit of dispensing his favors without receiving an equivalent, and as he has dispensed favors in Baton Rouge we shall continue to believe that a *quid pro quo* has been stipulated. That was evident from the action of the Baton Rouge delegates in the late Democratic State Convention, held in this city, and admissions since made by some of them in private.
New Postoffice.—The Postmaster General has established a postoffice by the name of Scott Station, Harrison county, Mississippi, and appointed Mrs. A. L. Burch, Postmistress. This office is on route from Mobile to New Orleans, between Biloxi City and Pass Christian.
We acknowledge receipt of an invitation through H. L. Dufour, Secretary, to attend a literary and musical entertainment to be given in the hall of Pass Christian College by the Irving Literary Society, on Saturday next, May 4th.
Awards at the Sixth State Fair.
Department E.—N. E. Bailey, Superintendent.
Best steam sugar mill, Shakspear, Smith & Co., diploma.
Best horse power sugar mill, Shakspear, Smith & Co., diploma.
Best evaporating pans for sugar and syrup, Geo. L. Squier, B. J. West, Agent, gold medal.
Best sugar kettle, Stedman & Co., Wm. L. Cushing, Agent, diploma.
Best portable evaporator for sugar and syrup, Geo. L. Squier & Bro., B. J. West, Agent, diploma.
Best centrifugal machine for sugar, Shakspear, Smith & Co., diploma.
Best saccharometer, Geo. L. Squier & Bro., B. J. West, Agent, silver medal.
Best machine and method for clarifying cane juice, John W. Austin, Plaquemine, diploma.
Best horse power, Geo. L. Squires & Bro., B. J. West, Agent, diploma.
Best plantation corn mill, Wm. L. Cushing, diploma.
Best hand mowing machine, Excelsior, B. J. West, silver medal.
Best pair mill, Wm. L. Cushing, silver medal.
Best portable flour mill, H. P. Straub, Wm. L. Cushing, diploma.
Best cotton seed huller, C. S. Hunt & Co., diploma.
Best wheat cutting machine, Wm. L. Cushing, bronze medal.
Best railroad switch, Stedman & Co., Wm. L. Cushing, silver medal.
Best railroad frog, Stedman & Co., Wm. L. Cushing, silver medal.
Best vertical sugar mill for horse power, Geo. L. Squires, B. J. West Agent, premium recommended.
Best horizontal sugar mill for horse power, Geo. L. Squires, B. J. West, Agent, premium recommended.
Best display of cane machinery, Geo. L. Squires, B. J. West, Agent, premium recommended.
Best chair bars, step chairs, guard blocks, head blocks, spike mauls and chisels, Stedman & Co., W. L. Cushing, premium recommended.
Best saw mill, Stedman & Co., Wm. L. Cushing, gold medal.
Best circular saw, Woodrough & McParlin, Wm. L. Cushing, diploma.
Best circular saw, with assorted teeth, Hoe & Co., Wm. L. Cushing, diploma.
Best upright saw, Woodrough and McParlin, Wm. L. Cushing diploma.
Best cross-cut saw, Hoe & Co., Wm. L. Cushing, diploma.
Best hoop and splint machine, Wm. L. Cushing, diploma.
Best heading saw machine, J. A. Fay & Co., Wm. L. Cushing, premium recommended.
Best stave making machine, Stedman & Co., Wm. L. Cushing, diploma.
Best mitreing machine, Wm. L. Cushing, silver medal.
Best spoke turning machine, Wm. L. Cushing, silver medal.
Best drilling machine, C. S. Hunt & Co., silver medal.
Best railroad hand car, Stedman & Co., Wm. L. Cushing, premium recommended.
Best saw mill, S. Noyes, Wm. L. Cushing, Agent, first premium, silver medal.
Best reaping machine, Wm. L. Cushing, premium recommended.
Best and most important invention relative to agriculture, Von Phul & Wallon, gold medal.
Best walking cultivator for corn and cotton, Von Phul & Wallon, silver medal.
Best harrow, B. J. West, silver medal.
Best harrow for preparing ground, B. J. West, silver medal.
Best practise, arrangement of gang plows, B. J. West, diploma.
Best display of agricultural implements, B. J. West, silver medal.
Best cane cultivator, Von Phul & Wallon, premium recommended.
Best gin for Sea Island cotton, A. P. Perreux, diploma.
Best plantation hay press, W. L. Cushing, diploma.
Best plantation wagon, C. M. Soria, diploma.
Best cloth strip bristles, A. P. Perreux, premium recommended.
Best cotton screw, Stedman & Co., W. L. Cushing, premium recommended.
Best gin feeder, D. Coleman, premium recommended.
Department H—J. L. Gubernator, Superintendent.
Best Ayreshire cow, Jacob Ott, $25.
Best Jersey cow or heifer, C. H. Slocomb, $25.
Best bull, two years old and over, C. H. Slocomb, $25.
Best heifer, one year old and under two, C. H. Slocomb, $15.
Best heifer under one year old, A. Bonnabel, $10.
Best milch cow, Little Sisters of the Poor, first premium.
Best milch cow, Jacob Ott, second premium.
Best pair oxen, two in number, of any age, C. H. Slocomb, $25.
Best fat cow or steer, A. Bonnabel, $20.
Best fat calf, under two year old, H. Fabacher, premium recommended.
Cash.
Diploma.
Beef and Tools.

DUTCHER'S LIGHTNING FLY-KILLER speedily clears out and cleans the house of flies. Sold by dealers everywhere.
Mrs. Winslow's Syrup for Children Teething.—Many sleepless mothers and suffering children owe to the anxious mother the knowledge of being this invaluable preparation.

The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, FRIDAY MORNING, MAY 3, 1872. 45th YEAR.—Vol. XLV.—Whole No. 15,061.

CITY INTELLIGENCE.

An engagement did not permit us to accept the very cordial invitation of Messrs. Charles J. Hoyt and Theodore Bruning to partake of their hospitalities, at the opening of their new hotel, at the Lake End of the New Canal, on Wednesday evening. Both the proprietors are well and favorably known as caterers to the frequenters of that popular place of resort. Either in situation or construction the new house is much roomier than the old hotel which was burned down, and we see no reason why Messrs. Hoyt & Bruning should not gather a goodly harvest. If they do not it is not because they have not many well-wishers.

We acknowledge an invitation to a grand ballon and May ball to be given by the Exempt Relief Society of Phœnix Steam Fire Co., No. 8, at Carroll Hall, tomorrow evening. We have also received tickets from Col. Louis Power to the same entertainments.

Twice the house of Mr. N. C. Folger, corner of St. Charles and Ninth streets, was entered burglariously during Wednesday night. The first time the inmates were alarmed by the noise made and the burglar fled, taking with him but a silver fork and a silver butter knife. He returned in about an hour but immediately scented danger and fled.

A difficulty occurred at the corner of Fourth and Magnolia streets, at about 10 o'clock, on Wednesday night, between three unknown persons, who fired several shots at one another and then fled towards the swamp. The result of the firing is not known as the parties had disappeared when the police arrived on the ground.

The residence of Dr. Bickham, No. 678 Magazine street, was forcibly entered at about 4 o'clock, yesterday morning, and robbed of a quantity of silver-plated articles.

Salvador Pratts and Baptiste Nolsar have been arrested for having in their possession a sloop, at the New Basin, which is supposed to be a vessel that was stolen at Galveston, in the latter part of March last. The prisoners say they bought the vessel in Lafourche and, in proof of their assertion, have a bill of sale.

Capt. Weaver, of the schooner Miriam, was struck by the fore-boom of the vessel, at the Lake End of the New Canal, yesterday, and died at half past three o'clock from the injury caused thereby.

Two men, named Charles Brown and John Gearin, had a difficulty yesterday afternoon, at the corner of Fulton and Julia streets, and the affair resulted in Brown being stabbed and dangerously wounded in the left shoulder. Gearin has not been arrested.

The Hawkins-Bidwell Trotting Race.—The trotting race, between the celebrated teams owned by Mr. John Hawkins, of Hawkin's saloon, and Mr. Dave Bidwell, of the Lafayette Livery Stable, came off yesterday, at the Fair Grounds and excited a good deal of interest, as it had been on the tapis for a considerable time, and there was not a little wagering on the result. Mr. Bidwell's team was the favorite, with betters, which gave heavy odds, but the result was an utter disappointment to them. One of Mr. Bidwell's horses, "Lady Alice," broke several times, something very unusual with her. The race was mile heats, best two in three, for $500 aside. Mr. Hawkins' team won the money in two successive heats—time 2:43—2:46.

First District Court.—Thursday, May 2.—Counsel for Charles Earle and John Garvey, convicted a second time of the murder of Mrs. Margaret Sallinger, has applied for a new trial, upon exceptions filed and upon the averment that there was no evidence against Garvey, except Earle's confession, which should not have been received, it is argued.

A mistrial was entered in the case of Ed. Butler, accused of robbery, the jury being unable to agree.

The trial of Louis Maffer, the driver of the City Railroad Company, accused of manslaughter, in having alleged to have been committed in running over and killing Mary Burke, on the 10th February, which trial was fixed for to-day, was continued indefinitely, in consequence of the absence of material witnesses.

The Grand Jury indicted Wm. Lozado, as principal, and Antonio Vasquez, as accessory, for murder, charged to have been committed in killing Joseph Calbino, keeper of an eating saloon on Burgundy street, who was mortally stabbed, in his saloon, in February last.

Second District Court.—Liabilities of a Tutor to Minors.—Bogart Shall vs. F. H. Colley and Wm. B. Conger, executors of Wm. Bogart. This is a rule for a new trial.

The defendants in their brief based their ground for a new trial on the supposition that Wilhelmus Bogart had acted on behalf of the minors Shall in the capacity of an agent, or sub-tutor, *gestor*, one, that he was only responsible to the minor so account of his administration as such, he was discharged from all other and further liabilities to said minor.

They cited in support of this defense the law governing the duties and responsibilities of the supposed *Gestor*, and several decisions of the Supreme Court.

The Court said: These authorities are good and sound for cases to which they may be applied. In the present case William Bogart acted as an intermeddler, which places him in a different light than a *Negotiorum Gestor*.

At the time of the death of Mrs. P. Shall, the grand-mother and tutrix of the minor, Wilhelmus Bogart was the under tutor of the minor and testamentary executor of the deceased tutrix. In his capacity of under tutor, instead of convoking a family meeting for the purpose of providing the minor with a tutor, he undertook to act for the minor, not as an ordinary agent, but as under tutor, assuming thereby the functions of a tutor.

He made himself liable toward the minor for all the responsibilities attached to the functions of tutor without its privileges. In that capacity he took upon himself to invest the funds of the minor in a manner contrary to law. Instead of investing those funds as provided by art. 341, C. C., by public act, secured by mortgage, he took commercial paper, which might have been good at the time when he received them, but which were worthless, to his knowledge, when he rendered his account to the minor. The tutor must act in all instances in conformity with the strict provisions of the law; otherwise he will be made responsible to the minor for the loss occasioned by the mal-administration.

New trial refused.

Fourth District Court—The Fees of Lawyers and Prescription.—Magruder & Chilton vs. Myra Clark Gaines.—This is a suit brought to recover the sum of ten thousand nine hundred and fifty dollars for professional services rendered by Magruder & Chilton, attorneys at law, to Mrs. Myra Clark Gaines, in the case of Daniel N. Heinsen, argued before this Supreme Court of the United States, and submitted at the December term of 1860; which case involved the validity of the will of Daniel Clark, the legitimacy of Mrs. Gaines, sole, etc.; and also for obtaining the divorce in this instance and respondent of defendant, of her daughter, Mrs. Whitney Strother, from her husband, Dr. Strother, in the Circuit Court of the District of Columbia, in 1861.

The fee in the first case which, it is alleged, was contingent on the successful issue of the controversy, is fixed at $10,000, and for the divorce case the plaintiffs claim $1000, on account of which they acknowledge a payment of $50, leaving therefore a net amount due to them of ten thousand nine hundred and fifty dollars.

The defendant is met by an answer from Mrs. Gaines' counsel, denying that she ever employed the law firm of Magruder & Chilton, or either of them, in her case against D. N. Heinsen, in the Supreme Court of the United States, nor did they render her any services therein, nor did we have need of their services, able counsel having previously been engaged, who did all that was to be done in her behalf. And, further, Mrs. Gaines pleads the prescription of three, five and ten years.

The evidence offered by plaintiffs has satisfied the mind that they have rendered professional services in the case of D. N. Heinsen before the United States Supreme Court, and that the fees which they claim, considering the successful issue of this important litigation, is quite reasonable. But the testimony of Mrs. Gaines leaves me in doubt as to their right to be paid for their services, as she solemnly swears that they never rendered were expressly voluntary and gratuitous, and for the sole object of allowing these eminent lawyers to appear in that celebrated cause.

Be this true or not, the claim of plaintiffs must be rejected, because it is prescribed by the statute of three years. C. C. 3503. Ray's 3538. Although dependent on a contingency, which was the successful termination of the suit, it is nevertheless prescribed, because the Heinsen case was decided as the December term of 1860 (see 24 Howard's U. S. Reports), because there is none of the Gaines cases pending in the Supreme Court of the United States since 1867.

As to the services rendered in the divorce case of her daughter, Mrs. Gaines admitted on the trial of this case an indebtedness of five hundred dollars to the plaintiffs, from which is to be deducted the amount of $50, paid on account. They are therefore entitled to a judgment for $450, with interest and costs.

Judgment accordingly.

Charge of Arson.—On the night of the 26th March last a house occupied by detective-dens of five hundred dollars to the and Goodchildren street, was discovered to be on fire and the flames were quenched before much damage was done. The police report that combustibles, including pine knots and cane were found on the premises, and a quantity of coal oil, placed together with a match. Detective Donahue, as if for incendiarism, on an investigation, was entrusted with the case, and has obtained sufficient evidence, it says, to justify the arrest of the author, and his making an affidavit against Rose, a wife, and they have been arrested. Rose is a native of Ireland, is 40 years old, and had their furniture insured for $700, that, although they had got most of the goods away before the fire, they left in the house which they knew to be worthless, and that most of the value of the furniture was destroyed by the fire. They say that Rose, while under the influence of liquor, has frequently threatened to burn the house, and that on the night in question he was seen to enter the house with a bundle, and shortly afterwards to leave it without the bundle, and that the fire was discovered soon after. Rose and wife were arrested on the 27th March, and released on bail, and will be tried on the charge of arson.

Fatal Accident.—At about 5 o'clock, yesterday afternoon, as some logs were being hauled out of the river into the Picayune Saw Mill, at Carrollton, the guy lines of the derrick gave way, and a log, with the mast, fell upon two lads, one named Simon Andrews, aged 16, who was instantly killed, his head being crushed, and the other, named William Ardell, was severely bruised in the face, but is not thought, by the physician attending him, to be in danger. Both boys resided in Carrollton, and were lookers-on at the work when the accident happened.

The Belmont-World Ring.

Too prominent attention cannot be given to the danger to popular rights and interest by this powerful ring, however respectable the individuals may be personally. This money ring is the carbuncle on the Democratic party. Disease of it is, we think, very advanced, if not general, throughout the mass of the party. The following is one of the innumerable indications:

(From the Washington (Ga.) Gazette.)

MEETING OF THE COMMITTEE OF THE NATIONAL DEMOCRACY.

Mr. Belmont, chairman, has called a meeting of the National Democratic Committee for the 8th of May. This is for the purpose of deciding upon the time and place of holding the Convention of the National Democratic party, for nominating candidates for the pending Presidential contest. The meeting of this committee, it will be observed, will be subsequent to the assembling of the proposed Cincinnati Convention of the Liberal Republicans. Much has been said pro and con, in regard to this delay of the Democratic Committee to move in the matter of holding the annual Convention, but we think it a step a wise one. We know nothing as to the motives prompting the ruling spirits of the party to this delay. We have little confidence in the wisdom of policy in the attachment to, the true principles of the Democratic party by these ruling spirits. We believe that Mr. Belmont and his ring represent the bond-holding interest of the country and care very little about the success of the Democracy. We believe that it was entirely through the influence of this ring that the Presidential contest of 1868 was lost to us.

The World and the Cincinnati Convention.

(From the New York Times.)

There is really something remarkable in the astonishing case with which the *World* turns its daily somersaults. Undoubtedly this skill is partly due to the unremitting zeal with which it pursues the mercurial feat; but practice alone will not account for its wonderful agility. Its course in regard to the Cincinnati Convention is characterized by a series of forward and backward somersaults which reflect immense credit upon its agility and wind. For some time prior to last January the *World* had been cautiously commending the passive policy to the Democratic party; and when Horace Greeley's name was mentioned in connection with the Presidency, in January, the *World* was probably the only newspaper in the country which did not instantly declare that the discontented Republicans would hold a convention at Cincinnati, it enthusiastically supported the project. Said the *World*, on the 31st January: "The Cincinnati Convention will be launched on a rising tide, and float in deep water. It will represent a living issue which have a strong hold on the public mind, and are daily making new converts."

In this pleasing state of confidence as to the future ought to be wrought by Schurz and Tipton, it remained for some time. On the 12th of March it asserted that "a body of men like that assembled at Cincinnati whose public standing, weight of character, and recognized talent for leadership will be the best movement formidable." Even so late as the 26th of March it professed that the Cincinnati Convention shall prove to be ——— country will support it and make it victorious. The *World* had now remained consistent in its confidence in the revolt of Republicans for nearly two months. Obviously it was time that it should relax the strain upon its nerves caused by this unaccustomed vacillation of attitude, and begin to indulge in the recreation of the somersault. Accordingly, one week later, on the 26th of March, we find it heading the entire morehead Republican movement, and insisting that "the Cincinnati Convention will be of all little consequence as the Cleveland Convention was in 1864;" and on the 29th it unceremoniously referred to the irregular Convention at Cincinnati, to be composed only of self-selected delegates and political volunteers."

Greatly refreshed by this agile backward somersault, the *World* on the very next day, March 30, followed it up by another somersault in the opposite direction, and expressed the opinion that "if the Cincinnati Convention should prove to be an influential body, with a strong Republican backing, it is quite possible we may adopt its ticket." On the first of April it thought it "almost a certainty that the Cincinnati convention will organize a formidable Republican opposition to Grant," and on Saturday last it decided that there is "reason to believe that the Cincinnati convention will shape the future politics of the country." Having thus both indorsed and ridiculed the Liberal Republican movement, the *World*, for a few days, remained quiet, evidently considering, in what it is pleased to call its mind, what new somersault feat remained for it to perform. Yesterday it conceived the bright idea of asserting that it had never either advocated or opposed the movement. "We must decline," said the *World*, "to commit ourselves either to it or against it until it reaches a further stage of development." Grouping these ingenious utterances together, we learn from the *World* that the Cincinnati convention is an affair concerning which it is yet, decline to express an opinion, but that it is to be an irregular body, composed of self-elected delegates and political volunteers, whose weight of character and recognised talents for leadership will make it of as little consequence as the Cleveland convention, and unable in so shape the future politics of the country. Let us stick here for a few days.—*N. Y. Times.*

The Voting Power of the South.

(From the Boston Advertiser.)

One of the hopeful manifestations of Southern politics is to be found in the interest which the people there, without political or social distinction, are beginning to take in questions affecting their industrial development and resources. This is to us deeply interesting, because the Southern States must continue to be in the future, as in the past, the great important wealth-producing portion of the Union. Nor can their fullness upon the revenue policy of the nation, as well as upon legislation, be overestimated. There is a common and dangerous sentiment abroad which finds expression in such utterances as "We as Republicans have with the South;" "That job is finished;" "The South is nothing." We are not done with the South so long as it is not finished; the South is a powerful and vital force in the nation.

The commercial tables of the country show that the contributions of the Southern States to our exportable wealth accrued in value the total exports of all the other sections of the Union combined. In addition to this, they furnish through their productions the basis of the most valuable textile industries. It will no doubt surprise many of our readers to learn that in the matter of population the South leads the great geographical sections of the Union. At the last enumeration of the United States is placed by the last census at 38,558,985. Of this number the Middle and Eastern States combined contain in round numbers 19 millions, the West 8 millions, the Southern States, or those commonly classed as such in the old times, 14 millions. Their political preponderance is equally significant. The total number of votes in the electoral college in New England States, with New York, New Jersey and Pennsylvania added, count 169 votes, as follows:

States.	Connections.
Maine	7
New Hampshire	5
Vermont	5
Massachusetts	13
Rhode Island	4
New York	35
Pennsylvania	26
New Jersey	9
Total	169

It will be seen that the Western States are entitled to the following:

Ohio	21	Illinois	11
Indiana	13	Wisconsin	10
Michigan	11	Minnesota	5
Iowa	8	Nebraska	3
Kansas	5	Total	87

California claims 6 votes and Oregon 3, making a total of 96 votes. The Southern States are entitled to 155 votes in the electoral college, being a majority over the ——— Southern States combined. ——— ——— ———