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NEW ORLEANS:
TUESDAY MORNING, JUNE 14, 1870.

The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, TUESDAY MORNING, JUNE 14, 1870. 43d YEAR—Vol. XLIII.—Whole—15,085.

THE TIMES AND JUDGE BRADLEY'S DECISION.

The organ of the Slaughter House monopoly finds serious fault with Mr. Justice Bradley on account of his decision of last Friday, upon the application of the Butchers' Association for an injunction against the Crescent Company and the Board of Metropolitan Police, restraining the latter from further interference with the Butchers. The *Times* first finds fault with Judge Bradley because he indulges in a long dissertation upon the merits of the case and undertakes to express his opinion thereupon, before argument and trial and upon mere *ex parte* allegations.

The *Times* next charges Judge Bradley with having "assumed upon the mere averment of a bill in chancery, that the act creating the Crescent City Live Stock Landing and Slaughter House Company was an unconstitutional monopoly and violative of the Fourteenth Amendment."

The *Times* says that Judge Bradley, in doing this, "committed a freak of judicial dogmatism."

The next accusation made against the Judge by this interested organ of the Slaughter House speculators is that, he has dared to dissent from the views of those *commanding* Judges of our State Supreme Court, on the validity the Slaughter House Act, and to form an independent judgment thereupon, without even reading the Act.

The *Times* then says "it would have been quite as wise, proper and judicial had Judge Bradley attended the meeting on Wednesday night at the Clay Statue, and embodied into his judgment the speeches of the orators on that occasion."

A further charge against Judge Bradley on the part of this *impartial* newspaper critic is that "he has intruded into the domain of philosophers and essayists" in expounding the Civil Rights bill and Fourteenth Amendment, and finding that the freedom of industry had been secured by these comprehensive laws to every American citizen.

Still another accusation made by the *Times* against this eminent and learned and irreproachable magistrate is, that in deciding that the right to labor freely was one of those fundamental principles denied by none but fools or knaves, he has invaded the rights of the people by making a Constitution for them, and undertaking to define what are those civil right which the law above referred to and the Fourteenth Amendment declare to be entitled to protection.

Not satisfied with having made these grave charges, the organ of the Slaughter House Monopolists goes on to accuse Judge Bradley with a desire to effect "a vast and indefinite extension of the power and authority of the judicial department of the Government."

Besides these serious accusations, the *Times* shows little mercy in favor of the defeated monopolists by speaking of Judge Bradley as "an ultra politician," and by asserting that an opinion which has not only been recognized as sound law, but which has challenged the admiration of nine-tenths of the members of the legal profession in New Orleans, was marked by "extraordinary haste and crudeness," and "was written by the Judge in his room in the hotel," as if the privacy of his own chamber militated him for careful composition.

A last fault of Judge Bradley, discovered and held up to view by this learned and impartial critic is that when he delivered the opinion in this case from the Bench on Friday last, he was ignorant of the elementary rule of Federal Court law, that parties to a suit in that court must be citizens of different States, because forsooth the Judge declared the jurisdiction of the court in the case before it depended not upon the citizenship of the parties to the suit, but upon the fact that the Constitution of the United States had been violated by an act of the Legislature of the State.

Now we will tell the *Times* what the offense of Judge Bradley has been, which has brought down upon his head the anger of the organ of the Slaughter-House Company. It was not that Judge Bradley had made a thorough examination of the Slaughter-House act, but because he had found it to be in conflict with the Fourteenth Amendment of the Federal Constitution. If Judge Bradley had decided favor of and not against the Slaughter-House act, his exhaustive examination thereof would have been made matter of consideration by the *Times*. Until the opinion had been read in open court the advocates of the Slaughter-house Company were entirely willing that the suit should proceed to judgment, for they believed that both Judges Bradley and Woods—the latter of whom is excepted from all this interested criticism of the *Times*—would reject the prayer of the Butchers, and recognize the right of the Legislature of Louisiana to grant the privileges which the Slaughter-house Company claim to enjoy under their charter. The advocates of the Slaughter-house Company approached Judge Bradley very much in the spirit of Shylock when he addresses Portia in these words:

"It doth appear you are a worthy Judge.
You know the law, your exposition
Hath been most sound. I charge you by the law,
Whereof you are a well deserving pillar,
Proceed to judgment: by my soul I swear,
There is no power in the tongue of man
To alter me." I stay here on my bond."

And when they had heard his exposition of the law; when Judge Bradley, like his prototype in the "Merchant of Venice," had said to the Slaughter-house Company:

"This bond doth give thee here no jot of blood;
[that is, doth give thee no exclusive privileges;] they left his presence exclaiming with downcast visage, like their prototype Shylock:

"I take this offer then;
You take my life and all, pardon not that.
You take my house, when you do take the prop
That doth sustain my house; you take my life
When you do take the means whereby I live."

It is hardly necessary to expose, with any particularity, the false pretenses which the *Times* attempts to palm off upon this community, in the legal arguments which it has made upon this subject, nor to point out how different the monopoly which the *Times* says the butchers have established heretofore in their peculiar line of business. The readers of the *Times* know that the Slaughter-House monopoly of Messrs. Pratt & Co. is a monopoly established or attempted to be established by law, while the business of vending butcher's meat in the markets of the city is a business which has always been open to competition, and the butchers, so far as we know, have never been invested with any right or privileges enjoyed by others. We do not wish to be understood as justifying monopolies inside or outside of the law, but merely as pointing out the openness of butcher's business like any other to the competition of all who may choose to go into it.

His Honor Judge Woods concurred with Judge Bradley in the opinion and decree which are so objectionable to the *Times*, yet the presiding Judge is made to bear all the responsibility flowing from the determination of the Court. We dare say that neither Judge will suffer his equanimity to be disturbed by such attacks as the *Times* has made upon the Court. Defeated litigants are expected to growl out their dissatisfaction with the Court which rejects their prayer. Our cotemporary is recommended to cultivate a spirit of resignation. The weather is too warm to fume and fret at anything, much less at the Judges of the Circuit Court of the United States.

The remains of the late Mr. Robert Wynne, a highly respected citizen of the Third District of this city, were attended to the tomb yesterday afternoon by a large concourse of sorrowing relatives and friends. The manner of his death and its suddenness have elicited much sympathy for his afflicted family. Our readers are aware that Mr. Wynne had to suffer amputation of his leg in consequence of being run over by the Pontchartrain Railway cars. Loss of blood and mental excitement following upon the accident, we understand, caused his death.

Cincinnati Industrial Exposition of 1870.

A grand Industrial Exhibition of Manufactures, Products and Arts, under the auspices of the Chamber of Commerce, Board of Trade and Ohio Mechanics' Institute, is announced to be held in Cincinnati, commencing on Wednesday, September 21, 1870, and continuing until Saturday, October 15, that is, for twenty-five days.

Artisans, manufacturers, inventors and all engaged in the production of works of arts and ingenuity are invited to contribute. Ample preparations have been made for the exhibition of machinery in operation, for the prominent display of manufactures, works of art, and products; and also for the general convenience of exhibitors. Arrangements are being made for the cheap transportation of articles for exhibition from all parts of the country, and for their removal from the depots and wharves in the city of Cincinnati to the place of exhibition with safety and at low rates.

Circulars containing full and specific information relating to the exposition may be obtained by addressing Abner L. Fraser, Esq., Secretary of the Cincinnati Industrial Exhibition, Cincinnati.

Applications for space should be made at once.

Our acknowledgments are due and hereby tendered to Major D. Urban, Clerk of the Circuit Court of the United States, and to his polite assistants, Messrs. F. B. Vinot and John and Richard Devonshire, for courteous attentions.

We are indebted to Mr. J. A. Jaquet, No. 107 Chartres street, for late Boston and New York illustrated papers.

THE FIFTEENTH AMENDMENT.—After ten years of experiment, and fifteen changes in the ingredients, Phalon has the pleasure of announcing that his VITALIA, OR SALVATION FOR THE HAIR, is a perfect article, capable of infallibly restoring gray hair to its primary color, and without failure. Sold by all druggists and fancy goods dealers.

The following is the list of passengers per steamship Cuba, capt. Dinkelbart, from Baltimore, via Key West:

Father McMullen, M White, Jr., Capt. Randolph, U. S. A.; Mother Jones.

Louisiana Intelligence.

IBERIA PARISH.—The *Times* of Iberia of the 10th ins. speaks of the preparations for the growing sugar crop.

In a trip down the bayou as far as Jeanerette, last week, we found preparations for the coming sugar crop already begun on nearly all plantations. Many are repairing their old sugar-houses, while Dr. H. Bussey and Mr. C. C. Henderson are commencing the erection of new ones. The Doctor is having the old edifice torn down, and uses from it such bricks as are still good; but in established a brick yard, and burned 200,000 new bricks, so that he expects to be ready in ample time for taking off his crop. Mr. Henderson has the foundation for his sugar-house already laid, but we are told he experiences some trouble in getting the necessary lumber. Although Iberia's saw-mill only a few hundred rods from his new building, (Mr. D. Hebert's) yet as logs are so scarce, he has to send to New Iberia for lumber. We have not learned what kind of machinery Mr. H. intends using, but Dr. Bussey informed us he would be something guided by the choice of Dr. A. Duperier, whose great experience in sugar-making will no doubt cause him to put up the very best, in the sugar-house which he is now building on his new plantation, a few miles above here.

In this connection, we will state that while last year the crop was considered large for the labor employed, this season it is much larger, and thus far it has been kept very clean, because of the favorable weather. However, we fear some have over-cropped themselves.

CARROLL PARISH.—The Elton *Eagle*, published at Lake Providence, says in its issue of the 4th inst.:

The weather the past week has been very favorable to the planting business. We had showers in the early part, which has started the cotton to growing finely, and requires active labor to keep down the grass.

CADDO PARISH.—The Shreveport *Southwestern* of the 7th says:

The planters, so far as we can learn, are pleased with the prospects of the young crops, though they are getting rather grassy, and too much rain now would be a most serious inconvenience. Predictions are already being made of an increased cotton crop over that of last year, but we cannot imagine upon what these calculations are based. There is but little more labor in the South than there then was, and we cannot reasonably anticipate such another season, especially such a favorable fall for gathering. It was certainly exceptional.

RAPIDES PARISH.—The Alexandria *Democrat* of the 8th inst. says:

The rains of last week have proved of immense benefit to the crops of Rapides. From every quarter of the parish we hear cheering news of the encouraging prospects.

EAST FELICIANA PARISH.—The Clinton *Democrat*, of the 8th, says:

From some of our most intelligent planters, whose judgment can be relied on, we learn that the crop of corn and cotton is at the present time most promising. Cotton is thrifty, and corn, where attention has been paid to planting a sufficiency, is doing well. The weather has been favorable, and although a good rain is desirable, yet there is no suffering as yet on that score. Could such a fall as that of last season be realized this, the yield of corn and cotton throughout the parish would exceed that of last year. But that can scarcely be expected two successive years. Should there be any falling off, it will be that of the late planting.

NATCHITOCHES PARISH.—The *News*, of the 4th, says:

During the past week this section of the country has been visited with a tremendous flood of rain, accompanied by high winds, vivid flashes of lightning followed by quick and very heavy parting thunder. This storm has not injured our agricultural interests, to any extent, but has benefitted the growing corn and cotton. Streams were swollen and the travel of the country some what blocked in some localities.

ASSUMPTION PARISH.—The *Pioneer*, of Napoleonville, of the 4th, says:

A refreshing rain on Tuesday and Wednesday came and gladdened our plains. Nearly five weeks of dry weather had enabled them to complete their work, and more, had alarmed them on account of their crops. We have not heard any complaints from every quarter; some wanted rain for their cane, others for their corn, and others for a good washout of draining water. Now, on the contrary, every planter in the parish is smiling and speaking of his good fortune. The upper part of the parish, however, was more fortunate than the lower part, in getting a good rain which will be felt for some time. The vicinity of Napoleonville would take no other good rain. These rains seem to have refreshened the weather, for prior to the showers, it was parching.

CALCASIEU PARISH.—The Lake Charles *Echo* of the 28th ult. says:

The shower of rain which fell last Tuesday night gave new life and vigor to the growing crops, and smiling faces to our farmers. Its effect should please every one, as the corn crop is, comparatively speaking, now safe. The cotton that was up previous to the rain, sustained no damage whatever. The last planting, which was retarded from coming up in consequence of the recent dry spell, is beginning to sprout. We can safely say, up to date, that the cotton prospects are good. We hear of no complaint among our sugar planters.

CATAHOULA PARISH.—The Harrisonburg *Era* of the 4th says:

Though it has been cloudy and showering during most of the past week, we hear that in several parts of the parish the planters are needing rain very much, for corn. The cotton is represented as doing well.

MADISON PARISH.—The Delta *Journal* of the 7th says:

We have been visited by light showers nearly every day since our last, and our planters will be busy for some time ridding their fields of grass.

LAFOURCHE.—The Thibodaux *Sentinel* of the 11th inst. says:

In the vicinity of Thibodaux the crops are suffering badly for rain. Below Lafourche Crossing and on the Bayous Black and Terrebonne, below Mrs. Elfin Plantation, there have been refreshing showers. Above this, on the Lafourche, we have heard of no rain of much consequence nearer than Napoleonville.

The water in the Bayou being too low to irrigate the lands, the rice crop will, very likely, suffer material injury, as that crop requires irrigation until about the 1st of August.

WEST FELICIANA.—The Bayou Sara *Ledger*, of the 11th inst., says:

During the week we have had several very cool nights. Blankets have been quite comfortable. The crops are advancing favorably. In fact, many planters say their cotton and corn, both, look unusually well.

WEST BATON ROUGE.—The *Sugar Planter*, of the 11th, says:

A week of heat and dust has passed away, with nothing special to commend it yet the improved condition of the crops from the rains of a few days ago. Crops could still take one or more heavy showers without being made the worse for them. Planters are all willing—we are willing, but the clouds only promise.

A Frenchman once hired a room in Paris on condition that the servant would wake him up at daybreak, and tell him the day of the week, the state of the weather, and under what form of government he was living.

CITY INTELLIGENCE.

Matrimonial.—We were pleasantly reminded yesterday by the receipt of a slice of cake, that Mr. A. Mascaro, Jr., was united in marriage to Miss Mary Bauer.

Young Men's Benevolent Association.—We acknowledge receipts of tickets to the twelfth anniversary of this association, which will take place on the 26th of June. The procession will move from the hall of the Association, corner of Customhouse street and Exchange Place, at 10 o'clock, A. M., and after marching through some of the principal streets, will proceed to the Deutsche Company Hall, corner of Bienville street and Exchange Alley, where a collation will be served. To all of which you are respectfully invited.

The Butchers' Further Proceedings.—Yesterday Judge Campbell, of counsel, ordered served the injunction granted on his bill in chancery in the United States Circuit Court on behalf of the Butchers' Association and against the Slaughter-House Company. The writ reads as follows:

The President of the United States, Circuit Court of the United States, Fifth Circuit and District of Louisiana.—In Chancery, No. 8283.—The Live Stock Dealers and Butchers' Association *et al.* vs. the Crescent City Live Stock Landing and Slaughter-House Company, the City of New Orleans and the the Board of Metropolitan Police.

To the Board of Metropolitan Police, Greeting: Whereas, it has been represented to us by the Live Stock Dealers and Butchers' Association of New Orleans, a corporation of the State of Louisiana, of which Paul Esteban is President, and others, in our said Circuit Court, in a bill lately exhibited against you, the said parties above named, by the said complainants, wherein you were severally charged with attempting to enforce the exclusive privileges granted to the Crescent City Live Stock Landing and Slaughter-House Company in an act of the General Assembly of the State of Louisiana, approved 8th March, 1869, and being act No. 118 of the acts of the said session, and upon which bill and proceedings thereon an order for an injunction was made by the said Circuit Court, a copy of which has been served on you.

Now, therefore, in consideration of the premises and of the allegations in said bill contained, and of the injunction and commands in the decretal order of the said court, you are hereby enjoined and strictly commanded to desist and abide whatever the said decretal order requires, and especially you are enjoined and restrained from commencing or prosecuting any other suit or suits against the plaintiffs or either of them, for doing or performing any of the acts embraced in the decree aforesaid and declared to be lawful and right for them to do, or for suing for any fine or penalty imposed in the act of the General Assembly aforesaid, for doing any of the acts which are declared in the said decree to be lawful and proper for them to do and from interfering with the said plaintiffs in the prosecution of their lawful occupations as butchers, live stock dealers, or as vendors of animal food or animals, or in any other way set forth in said order, subject to the conditions and exceptions in the said decree, a copy of which has been served on you.

Witness the Honorable Salmon P. Chase, Chief Justice of the Supreme Court of the United States at the city of New Orleans, this 13th day of June, in the year of our Lord, 1870.

The Jackson Railroad Case—The McComb Party so far Ahead in Court.—About 10 o'clock yesterday morning, in the absence of counsel for the Railroad Company, Judge Dibble, of the Eighth District Court, commenced reading his decision in the matter of the controversy between the Company and H. S. McComb.

He held that the casting of the votes of the stock of the city and State, through appointed directors was null and void; that there was not a majority of stock represented properly at the election which was to have been held on the 9th of April, but was, he contends, legally postponed to the 25th inst.; that the election of McComb and party as directors of the road on the 25th April was legal and binding, that McComb and party are consequently duly elected directors, and that Gen. Beauregard *et al.* are usurpers. He therefore issued the following decree:

It is therefore ordered and decreed that the rule nisi be made absolute in favor of Louisiana, plaintiff, and the relators hereinafter named, that the respondents, G. T. Beauregard, C. Fellows, H. Florence, J. C. Dennis, J. J. Warren, C. J. Leeds, Jno. Montgomery, Wirt Adams, L. Montgomery, J. Green, J. B. Hemphill and B. L. Hatch, be adjudged to be usurpers, intruding into and unlawfully holding and exercising the office of directors of the corporation named and styled the New Orleans, Jackson and Great Northern Railroad Company, domiciled within the jurisdiction of this court, and that they be ousted and excluded from said office, *and forbidden to exercise the functions of said office.*

It is further ordered and decreed that the relators, John H. McCoin, Joseph H. Oglesby, Richard Pritchard, Edwin H. Summers, Franklin J. Pratt, Louis Alcus, A. D. Gridley, James B. Alexander, A. H. West, Jerome B. Starke, Jno. C. Ennis, Edmund H. Saunders, Thomas J. Mitchell and L. C. Houston, be adjudged to be legally elected directors of said office of said railroad company, and that they be inducted therein to the end that they may receive the functions and administer the affairs thereof, according to law and to the charter. It is further ordered that respondents pay costs.

Mr. Semmes said that in his opinion the judgment could be signed at once, as the proceedings were not in the nature of ordinary suits. He had notified Judge Campbell, of opposite counsel, that he did not consider the case an appealable one, and he would therefore hurry the court to sign the judgment at once, so that execution might proceed without any delay whatever.

Judge Dibble, replying to Mr. Semmes, said: "Let the Clerk enter up the decree, and I will examine the law touching my right to enter the judgment at once. I will say, however, that in my opinion the case is a summary one."

Mr. Semmes, resuming, said he was sorry there were none of the opposite counsel present, so that they might be notified. He stated that he would move for execution of the decree this morning.

Fourth District Court.—J. G. Becker vs. James Ryback.—In this case plaintiff sued for a breach of contract. Judge Theard rendered a judgment against defendant, and in favor of plaintiff, with legal interest from judicial demand.

E. Kennedy for plaff. Scott & Cage.—In this case the questions were:

1. Has a factor or commission merchant, to whom goods are consigned for sale, any right to pledge them or dispose of them in payment of or as security for his own debts?

2. Does the act of 1868, p. 168, relative to pledges of cotton receipts, alter or change the general law of mandate and impart to a pledgee greater rights than the pledgor promises?

Judge Theard held that a power to pledge was implied in the authority given in the power to sell, "Goods consigned are susceptible of being identified and distinguished from those of the factor; they remain the property of the consignor; the factor has no right to pledge them or to use them in any way for his own purposes. They may be followed out of claimed in the hands of a third party, he has only a right to sell."

Felonious Damage.—About 11 o'clock yesterday morning the water shop of Mr. Buford, No. 276 St. Charles street, was entered and robbed of $22 and a memorandum book. The owner was in the back room.

The residence of John Myers, on Louisiana avenue, near Constance street, was robbed of $25 Monday morning.

Fire.—A fire originated about six o'clock in the residence of William Schomacker, No. 83 Twine street. Damage trifling, the flames being extinguished by the citizens and police without giving any alarm.

Stabbing.—A colored boy, Paris Casenave, aged about 14 years, was stabbed in the shoulder blade on the levee last evening, by a white boy about the same age, name unknown.

The Trial of J. A. Quintero.—The trial of J. A. Quintero, charged with the murder of Major Frank Manuey, on the night of the 25th of June, 1868, at Victor's Restaurant on Canal street, was concluded yesterday before the First District Court and resulted in the acquittal of the accused, there being no evidence to identify him as the party who killed Major Manuey. He and several other parties were in the restaurant during the evening of the homicide, according to the testimony of Mr. Martin, but no one recognized the party who stabbed Major Manuey. The deceased had a difficulty about his bill with Mr. Martin, who testified that the Major wanted to kill him.

Fugitive Captured.—Sergeant Malone and Special Officer Pearson have arrested a man named J. B. Johnson, with many other aliases, whom they charge with being a fugitive from justice. He was seen coming out of a livery stable, on Gravier street, in a buggy, and jumped completely out, landing on his feet behind it. Seven hundred and seventy-five dollars in money and a handsome gold watch were found in his possession. The prisoner $6000 bonds. His aliases are given as Billy Forrester, alias Billy or Frank Campbell, alias Frank Livingstone, alias Frank Howard, and he is said to have escaped from jail in Illinois.

Struck by Lightning.—During the blow of Saturday night, the bark Ville de St. Lo, lying at post 22, Third District, was struck by lightning and had her top-gallant mast split. About the same time the lowboat Morgan, with her tow, got adrift, but no damage resulted.

Burglary.—About 1 o'clock Sunday morning the residence of Mr. John A. Myers, on Louisiana Avenue, between Live Oak and Laurel streets, was burglariously entered by unknown thieves, who stole fifty dollars, a pocket-book, a bunch of keys and a silver seal.

Drowned.—About 7½ o'clock on Sunday evening a deck hand on board the steamer Mary, of New Orleans, while she was opposite the Cavaroc Slaughter-house, fell overboard and was drowned. Notwithstanding a diligent search, his body was not recovered.

City Mortality.—There were 175 deaths in New Orleans last week, of which number 3 white and 18 colored persons died of small-pox. There were 29 deaths of consumption.

Death of Ex-Alderman Wynne.—We regret to announce the death of Ex-Alderman Wynne, of the Third District, which occurred Sunday morning from the effects of the injuries he received the evening before, by falling while in the act of getting on the Pontchartrain cars while in motion and getting one of his feet crushed by the wheels. Amputation, it seems, resulted in death.

Mr. Wynne was fifty-one years of age, and a native of Baltimore, but had grown up here since boyhood. He was an honorable and useful citizen, maintaining a high character both in public and private life.

BY TELEGRAPH.

To the New Orleans Bee.

FROM WASHINGTON.

Congressional Proceedings.

FOREIGN NEWS.

Miscellaneous Intelligence.

WASHINGTON ITEMS.

Washington, June 13.—The majority of sub-Committee of the Senate on the Memphis and El Paso Railroad made a report concluding as follows: From the last examination that we have been able to make of the facts and the laws of Texas, our conclusions are that the Memphis and El Paso Railroad Company is an existing corporation with the right of way across the State of Texas, and that it has a valid grant of sixteen alternate sections of the mile to be selected out of the public lands of Texas, without any special reservation.

HOUSE.—The following Republicans voted to suspend the rules to pass a general bill removing disabilities: Buckley, Perry, Fitch, Price, Platt, Pomeroy, Rice, Stokes, Tillman. Motion defeated by a vote of 98 to 111.

Mr. Wood, moved Committee on River and Harbor, and Butler moved the Georgia bill—defeated by 120 to 38; and River and Harbor bill considered and passed. Goes to the Senate. The features of the bill have been telegraphed. Mouth of the Mississippi gets $500,000. Falls of the Ohio a quarter of a million. Mobile harbor increased to $80,000, $50,000 given to the Mobile harbor and bay.

The President laid before the House a message from the President of the United States condemnatory of the atrocious manner in which the conflict in Cuba is being carried on on both sides, representing that the object of the Cubans, who urge their recognition as belligerents, is to embroil the United States in war with Spain, declaring his inability to see, in the present condition of the conflict in Cuba, those elements required to constitute war in the sense of international law, and inviting the attention of Congress to the relations and bearing of the questions in connection with a declaration of neutrality and grant of the concurrent rights. The message, having been read, Banks, Chairman of the Committee on Foreign Affairs, moved it be laid on the table and printed. Judd, a member of that committee, suggested its reference to the Committee on Foreign Affairs. Banks said that question had been fully considered by that committee and the committee had made a report which was to come up to-morrow. Cox remarked on the imitation of the President's right to make communications to Congress was that he might from time to time give it information as to the State of the Union. He (Cox) said this message as an attack on the report made by the gentleman from Massachusetts (Banks) and it should be, as in the case of Andrew Johnson's message laid on the table without reference to a committee. Banks said he had not intended to make the attack to which the gentleman from New York referred. It was the usual course to lay the message on the table and have it printed.

Dawes suggested that after the remarks of the gentleman from Ohio it would not be regretful, to lay the motion on the table.

Banks modified his motion, and moved the reference of the message to the Committee on Foreign Affairs.

Cox moved to lay the message on the table. Negatived.

The message was then referred to the Committee on Foreign Affairs.

Adjourned.

The Judiciary Committee postponed considering the case until to-morrow. Bradley T. Johnson has arrived to look after Wood's interest.

Washington, June 13.—The President sent to Congress to-day a very important message relative to the conflict in Cuba.

He sets out by reminding Congress that he had informed it in his annual message to make a further communication on the subject of Cuba.

As there was nothing at that time in the condition of affairs there to justify the recognition of belligerent rights to the insurgents the past six months, he says, while they have been pursued by Spanish troops any great success, they have not advanced the position of insurgents, who possess no port, city, or town, have no political family recognized, and only make war from ambush on Spanish convoys. He condemns the atrocious manner in which the conflict is conducted on both sides in the wholesale butchery of prisoners. He alludes to the reported loan of $100,000 for corrupt purposes and thinks it a matter for serious consideration, and intimates very plainly that Congress will be disposing of not to fight their own battles but to get the Americans to fight their battles for them.

He says he can see nothing in the present condition of affairs in Cuba to justify the United States Government in recognizing belligerent rights to insurgents. He leaves the question in all its bearing to the decision of the war-making power.

Washington, June 13.—Internal revenue receipts to-day over $1,000,000.

The President has returned.

It is reported here that a negro succeeds Dawson, in South Carolina.

Two negroes who were nominated to West Point have been rejected for physical and intellectual inefficiency.

Washington, June 13.—The Senate has been occupied all day on the Appropriation bill. The discussion has been continued to-night, and a vote will be reached in a few hours.

It is supposed the Senate will pass the House bill without an amendment.

Washington, June 13.—The Senate passed the apportionment bill without amendment, making the total number of Congressmen 309. The States entitled to an increased number for the next Congress, gain them at large. The bill goes to the House for concurrence.

The Senate, by considering the bill paying Southern loyalists for property taken by quartermasters and commissaries.

MISCELLANEOUS INTELLIGENCE.

Knoxville, Tenn., June 13.—About nine o'clock this morning a personal encounter occurred between Gen. J. A. Mabry and Col. John Baxter. Mabry made the attack and discharged two pistol shots at Baxter, one taking effect in the right wrist, causing flesh wounds. Baxter retreated into McChang's store. Mabry has been arrested and held in bond for his appearance.

St. Louis, June 13.—Flour firm—fall superfine $4 25@4 50. Wheat higher, closed dull and weak; No. 2 fall $1 15@1 17½, cash $1 17½@1 18. Corn firm; No. 2 mixed 76c@78c. Whisky $1 08. Provisions firm but quiet. Pork $30 50. Loose dry salted shoulders 12c; packed 12½c. Bacon—shoulders 13½c; clear rib sides 16½c; clear sides 16½@16¾c; clear sides 17¼@17½c. Lard 16½c. Butter unchanged.

St. Louis, June 13.—Flour dull and unchanged. Wheat dull and unchanged at $1 20@$1 25. Corn firm and higher, closing at $1 08@1 08½. Corn dull, 3@3½c lower; closing at 80½@80¾c. Oats 49¼@49½c. Rye 84c. Highwines $1 08. Provisions dull and lifeless.

RIVER NEWS.

Memphis, June 13.—Passed up last night Alice Dean and Rubicon. Down—City of Cairo. River about stationary. Weather cloudy. Mercury 75.

Vicksburg, June 13.—Monongahela 7 feet and stationary. There were heavy rains at the head of the Allegheny river last night and high water is expected here. News's advices give Greenshoro 4 feet 10 inches; falling slowly at 6:30.

It rained heavily last night in this city; it is now cloudy and pleasant.

Cincinnati, June 13.—River rising, with 4 feet 7 inches in the channel.

Arrived—Edinburg, from New Orleans Sam J. Hale, from Memphis.

There were heavy rains yesterday and last night, and showers during this day.

St. Louis, June 13.—Arrived—Colorado from Vicksburg, Grand Tower from Memphis Continental from New Orleans, Aide and Friendship from Lower Mississippi. Departed—Bell St. Louis for Memphis. River rising slowly. Weather cloudy and cool.

Louisville, June 13.—River stationary. Indications are that a rise will commence to-morrow; 5 feet in the canal; 8 feet in the shute. Weather during the day alternately clear, pleasant, cloudy and disagreeably cold. Rain now falling—10:30 P. M.

FROM SOUTHWEST PASS.

Southwest Pass, June 13—6 P. M.—Barometer 29.90. Wind northeast. No arrivals. Sailed—Ship Tamerlan. Inside, bound out—Ship Minerva.

THE CHATTANOOGA RAILROAD.—Large bodies of hands are at work at several different points on this road, between Algiers and Donaldsonville where the road will cross the Lafourche. The contract is made to have the cars running by the 15th of December. On the river they are playing wild with the plantations by employing all their hands. We heard of several large plantations left without laborers to complete the cultivation of their crops.—*Thibodaux Sentinel.*

Chicago, June 13.—Abbie Summers, an accomplished young lady, residing near Quincy, Ills., was stabbed and killed yesterday near Louisiana, Missouri, where she was engaged in teaching, by a man named Wm. Cole, of Hancock county, Ills. He had offered himself in marriage and was refused. The murderer is still at large.

The second trial of the breach of promise case of Samon the Proctor, alias Milno Carra James vs. Ira Y. Munn took place last week at Waukegan, Lake county, Ill.

It was brought to a close on Friday last by a verdict for the defendant. The plaintiff is a notorious clairvoyant, fortune teller and black mailer. Mr. Munn is one of Chicago's most respected citizens.

Dr. W. W. Allport, a well-known dentist of this city, commenced suit against the Liverpool, New York and Philadelphia Steamship Co. for damages of $30,000 for injuries received by him from a fall. It is claimed by the defendants that it was negligence on his part while on board the steamship City of Paris, on a voyage from Liverpool to New York.

New York, June 13.—The Red Stockings, of Cincinnati, beat the Mutuals, of this city, at a game of base ball played here today, by a score of 16 to 3.

Baltimore, June 13.—The Marylands of this city defeated the Union (Haymakers) of Lansingburg, N. Y., to-day, by a score of 13 to 13.

Cleveland, O., June 13.—The Forrest City of Cleveland beat the Forrest City of Rockford, Ills., to-day by a score of 21 to 12.

Toledo, June 13.—The Board of Trade to-day passed resolutions favoring the enlargement of the Miami and Erie Canal between Toledo and Cincinnati, and appointed a committee of seven to co-operate with Cincinnati in inviting attendance to a convention, to be held in that city in November next, to further this project; also, appointed a delegation to attend the Rochester convention of business men.

Wilmington, N. C., June 13.—Late heavy rains seriously damaged crops in many sections.

Galveston, June 13.—A special dispatch from Austin, dated to-day, states that the Southern Pacific railroad bill passed the Senate to-day by a vote of 21 to 5. It is thought it will pass the House and receive the Governor's signature this week. The bill grants $16,000 to the mile and is the most popular bill before the Legislature.

FOREIGN INTELLIGENCE.

Paris, June 13.—The following dispatch from Rome, dated Saturday, was received here:

The discussion of the infallibility dogma continues in the Ecumenical Council. During a debate Dupanloup energetically combated any exaggeration of the rights of the Pope.

Seventy-two Fathers have signified their intention to speak against the infallibility dogma. Of these fifteen are French prelates.

Paris, June 13.—Viscount La Guéronnière was appointed Ambassador of France at Constantinople.

Madrid, June 13.—In the Cortes, on Saturday, Gonzalez, in reply to a question, said the Government had sought a candidate for the throne, but thus far in vain. He felt confident the United States in war with Spain, declaring his inability to see, in the present condition of the conflict in Cuba, those elements required to constitute war in the sense of international law, and inviting the attention of Congress to the relations and bearing of the questions in connection with a declaration of neutrality and grant of the concurrent rights. The message, having been read, Banks, Chairman of the Committee on Foreign Affairs, moved it be laid on the table and printed. Judd, a member of that committee, suggested its reference to the Committee on Foreign Affairs. Banks said that question had been fully considered by that committee and the committee had made a report which was to come up to-morrow. Cox remarked on the imitation of the President's right to make communications to Congress was that he might from time to time give it information as to the State of the Union. He (Cox) said this message as an attack on the report made by the gentleman from Massachusetts (Banks) and it should be, as in the case of Andrew Johnson's message laid on the table without reference to a committee. Banks said he had intended to make the attack to which the gentleman from New York referred. It was the usual course to lay the message on the table and have it printed.

Dawes suggested that after the remarks of the gentleman from Ohio it would not be regretful, to lay the motion on the table.

Banks modified his motion, and moved the reference of the message to the Committee on Foreign Affairs.

Cox moved to lay the message on the table. Negatived.

The message was then referred to the Committee on Foreign Affairs.

Adjourned.

The Judiciary Committee postponed considering the case until to-morrow. Bradley T. Johnson has arrived to look after Wood's interest.

Washington, June 13.—The President sent to Congress to-day a very important message relative to the conflict in Cuba.

He sets out by reminding Congress that he had informed it in his annual message to make a further communication on the subject of Cuba.

As there was nothing at that time in the condition of affairs there to justify the recognition of belligerent rights to the insurgents the past six months, he says, while they have been pursued by Spanish troops any great success, they have not advanced the position of insurgents, who possess no port, city, or town, have no political family recognized, and only make war from ambush on Spanish convoys. He condemns the atrocious manner in which the conflict is conducted on both sides in the wholesale butchery of prisoners. He alludes to the reported loan of $100,000 for corrupt purposes and thinks it a matter for serious consideration, and intimates very plainly that Congress will be disposing of not to fight their own battles but to get the Americans to fight their battles for them.

He says he can see nothing in the present condition of affairs in Cuba to justify the United States Government in recognizing belligerent rights to insurgents. He leaves the question in all its bearing to the decision of the war-making power.

Washington, June 13.—Internal revenue receipts to-day over $1,000,000.

The President has returned.

It is reported here that a negro succeeds Dawson, in South Carolina.

Two negroes who were nominated to West Point have been rejected for physical and intellectual inefficiency.

Washington, June 13.—The Senate has been occupied all day on the Appropriation bill. The discussion has been continued to-night, and a vote will be reached in a few hours.

It is supposed the Senate will pass the House bill without an amendment.

Washington, June 13.—The Senate passed the apportionment bill without amendment, making the total number of Congressmen 309. The States entitled to an increased number for the next Congress, gain them at large. The bill goes to the House for concurrence.

The Senate, by considering the bill paying Southern loyalists for property taken by quartermasters and commissaries.

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St. Louis, June 13.—John Matthews was some time since adjudged, by the Probate Court, to be of unsound mind and appointed a guardian to take charge of his and his property. J. H. Douglas to-day filed a petition to have his case released, alleging that he was perfectly competent to manage his own affairs, and stating he will endeavor to show that Matthew's relatives were actuated by mean in order to obtain possession of his property valued at $150,000. The Probate Court arrested petition.

New York, June 13.—A dispatch from Cheyenne says: five car loads of Chinamen passed over the Pacific road en route for Alabama.

Havana, June 13.—Several foreigners heretofore arrested and released have been re-arrested for attending a Masonic lodge, some months since. Cause unknown.

Captain General DeRodas reports further successes over the rebels.

*Cincinn