THE NEW ORLEANS DAILY BEE,
DUFOUR & LIBERT, PUBLISHERS,
No. 73 Chartres Street.

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Terms of Subscription—Daily, per annum, in advance, $10; half-yearly, $5; quarterly, $3.
Price of the paper—Single copies, 15 cents.
The Semi-Weekly: published every Tuesday and Saturday. Subscription, $4 per annum, invariably in advance.
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NEW ORLEANS:
THURSDAY MORNING, JULY 29, 1869.

TRY GEORGE ALCES' CIGARS,
INS.....Banquet Street 185

ANOTHER ATTEMPT TO COERCE THE BUTCHERS.

The Algiers Slaughter house people have at last proclaimed their real motive, which now stands exposed on the record. To obtain the charter granted them by the Legislature and the exclusive privileges with which it invests them, they need successfully the argument that the public health stood in need of protection against the butchers and stock dealers. This was the sole plea made to the Legislature by the benevolent incorporators whose name's appear in the act creating the Crescent City Live-Stock Landing and Slaughter-house Company, why no body but themselves should be allowed to shelter animals and slaughter such as are suitable for food, in the three parishes of Orleans, Jefferson and St. Bernard. They set forth all the evils, real or imaginary, under which the inhabitants of New Orleans were labring from the presence within the limits of the city, of the stock-dealers and butchers. They inveighed against the unhealthy nature of the business of butchering and the impurities with which the atmosphere was loaded by the presence of decayed animal matter They spoke eloquently of the necessity that our people should have water from the river nomixed with the deleterious substances which the butchers were daily throwing into that immense receptacle of filth. And they succeeded by means of these and a still more convincing argument in obtaining the enormous advantages which their charter confers. When they came to justify before the courts the generosity of our lawmakers, it was still the "public health" which constituted the defence of the Algiers Slaughterhouse Company. They insisted that slaughterhouses situated in the upper part of the city *must be removed*, and that the only way to effect that object was to enforce the *salutary* provisions of their charter and compel the butchers to carry on their occupation within the enclosures which those disinterested gentlemen—the Crescent City Company—proposed to erect across the river, in the neighboring town of Algiers.

The butchers seeing they were to have no peace unless they transferred their establishements to some point below the city, determined to yield to that extent, and opened negotiations with Mr. Charles Cavaroc, a land-owner in that part of the parish for the lease and subsequent purchase of the necessary extent of ground whereon to erect suitable buildings. They also organized themselves into a stock company for the prosecution of their trade and the association of the necessary capital, supposing that by going below the city they were removing the last ground of objection urged by the public to their disagreeable but indispensable occupation. What is the next move of the Algiers monopolists? Why, they enlist the services of the Attorney General of the State, and induce him to make application to Judge Leasmont for the mock ahmed writ of injunction to restrain the butchers from transferring their slaughtering establishments to the locality mentioned, and to restrain Mr. Charles Cavaroc from leasing or selling any of his land below the city for the purpose contemplated by the butchers.

We had a higher opinion of the professional requirements of the Attorney General than to suppose he would put his name to a document containing such allegations as are made in the petition And we do not hesitate to say that he is perfectly aware that no injunction will lie, either against the Butchers named in his petition or against Mr. Cavaroc to prevent him from disposing of his property, as he may please, without let or hindrance. Judge Leasmont has no right to interfere with Mr. Cavaroc. He proposes to violate no law, whatever the other parties may have in view But as the mere purchase of the land and erection of the buildings constitute no ground of action, we say that none of the Attorney General's allegations are sufficient to justify the extraordinary proceeding which he has thought fit to adopt. He would have been time enough to take this action, when the buildings were ready to be employed in the business which the Algiers Company claim that none can engage in but themselves, for who can say now, to what use buildings not yet in existence, will be put when they shall have been constructed? It is to crime yet we imagine, to construct houses on our own land, nor can the exercise of this right possibly give any cause of action to the State or to any of its inhabitants. The use to which such houses may be put, is altogether another question. But perhaps Mr Attorney General is kindly disposed towards the butchers and towards Mr. Cavaroc and does not wish them to get into further trouble, and so out of the goodness of his heart warns them that they must not poach upon the preserves of the Algiers Slaughter-house Company, else he will be obliged to interfere for the protection of the latter, and exert his high powers as the first law officer of the State in that behalf. If this be his motive, no doubt Mr Cavaroc and the butchers will be greatly obliged to him for the benevolence of his action, but will probably be inclined to tell him, they are quite competent to attend to their own affairs.

We cannot believe this injunction will stand It was issued on the exparte application of the Attorney General, and as it discloses no cause of action we have little doubt Judge Lesumont will dissolve it, when a motion to set it aside shall have been made and argued before him.

We doubt whether the Attorney General is clothed with power to institute such an action as this, in the name of the State.

FOURTH DISTRICT COURT—JUDGE THIBAUD In the case of Mr. Charles Morgan vs. the Opelousas and Great Western Railroad Company, the attorneys of the defendants, Messrs M. M. Cohen & Son and J. B. Robertson, yesterday moved to set aside the injunction which had been issued in the instance of Mr Morgan to prevent the lease of that portion of the line to the Chatuanoga Railroad Company, which lies beyond Berwick's Bay. This rule was fixed for argument on August 4th.

Capital Punishment.

We acknowledge receipt from the author, M. H. Bovee, Esq , of a work entitled "Christ and the Gallows, or Reasons for the Abolition of Capital Punishment." The book has been published for the author by the Masonic Publishing Company, 432 Broome street, New York, and is for sale in New Orleans by Mr. L. E. Daniell, soliciting agent, who will doubtless call upon our readers for the purpose of placing the book within their reach. It contains the views on the subject of capital punishment of some of the prominent authors, statesmen and divines of this country and of Europe—among them those of Lords Bacon and Brougham, Jeremy Bentham, John Bright, Sir William Blackstone, Dr Thomas Dick, Dr. Lushington, Richard Cobden, John Stuart Mill and Charles Dickens, (all of England) and Rev. Dr. Channing, Dr. Rush, Dr Franklin, Gov. Tompkins, Horace Greeley, Gov. M Dallas, James Buchanan W Bryant, John E. Whittier, Harry W. Longfellow and others, of the United States. The following divisions of the subject are discussed in the book:

The Right of Government to inflict the penalty of death; Sacredness of Human Life; The Death Menace as a deterrent of crime; The death punishment; its porr effect upon society considered; Progress in Penal Legislation; The Scripture Argument.

When we have read the work we may express our views upon the important subject of which it treats. The time has arrived for its serious consideration.

The language of nature and experience demonstrates that whoever would enjoy the pleasures of food, the beauties of landscape, *the joys of companionship*, the riches of literature, or the honors of action and renown, must *preserve Health*. The effect of foul, injurious food entering the stomach is to derange the digestive organs and produce headache, loss of appetite, unrefreshing sleep, low spirits, feverish tongue, etc., which are the symptoms of that horrid disease, *Dyspepsia*, which assumes a thousand shapes, and pollute toward a miserable life and premature decay. PLANTATION BITTERS will prevent, eradicate and counteract all of these effects. They act with unerring power, and are taken with the pleasure of a beverage.

MAGNOLIA WATER—Superior to the best imported German Cologne, and sold at half the price.

The Southerners have always been partial to Canadian watering places, and are now flocking in large numbers. Quebec is perhaps the special favorite. The crowds by the steamers to Montreal are very great, and the array of extravagant toilette are not excelled on the continent.

OFFICE 73 CHARTRES STREET.

The New Orleans Bee.

NEW ORLEANS, THURSDAY MORNING, JULY 29, 1869. 42d YEAR—Vol. XLII.—Whole—14,815.

The Coolie Trade.

LETTER OF MR. SECRETARY BOUTWELL TO COLLECTOR CASEY.

Collector Casey has received from Secretary Boutwell the following letter:

TREASURY DEPARTMENT, July 23d, 1869.

SIR:—I am in receipt of your letter of the 26th ult., covering a communication of Mr. Wm. Creevy, dated the 24th ult., relative to the importation of Coolies into this country, and asking for instructions of the Department

I reply that Mr Creevy is in error in stating that the act of 19 of February, 1862, prohibiting American citizens from engaging in the Coolie trade has been abrogated.

On the 16 h of January, 1867, a resolution was passed unanimously by both Houses of Congress, expressing the abhorrence of the people of the United States for the Coolie trade, and in conformity with this resolution, Mr. Secretary McCulloch addressed to the Collector of your Port the letter of the 19th of August, 1867, of which a copy is enclosed.

Additional article to the treaty between the In Ling Empire, concluded at Washington on the 28th of July last, and which now awaits the action of the Emperor of China, reprobates any other than voluntary emigration and agrees to make it a penal offense to take Chinese subjects from China without their free and voluntary consent.

The Department of State, by circular of 17th January, 1867, addressed to Ministers and Consuls of the United States, directs that the Consuls at every port where coolies may embark, be required to certify after full examination that such embarkation is not forced or procured by fraud, but is voluntary and requires that such Consuls and Ministers use all the authority, power and influence at their command towards preventing and discouraging the carrying on of such traffic, referred to, in any way

Such being the facts in the case, you are hereby authorized and directed to use all vigilance in the suppression of this new modification of the slave trade.

Very respectfully, GEO. S. BOUTWELL, Secretary of Treasury

TREASURY DEPARTMENT, August 19, 1867.

Sir—Information having been given to the Department concerning an alleged trade in coolies between certain ports and this country, contravening the laws of the United States, and apprehensions being entertained that acts of this nature are in contemplation and may be committed, you are hereby instructed to inquire vigilantly into the circumstances of cases where there is reason to suspect any such violations of law, and report them at once to this Department, to the end that measures bringing the facts to the notice of the proper United States Attorneys.

Please acknowledge the receipt of these instructions. Very respectfully,

H McCULLOCH, Secretary of the Treasury.

W. F. Kelleg, Collector of Customs, New Orleans, La

The State Pursuing the Butchers.

The Attorney General of the State has filed the following petition in the Fifth District Court and the writ have been served.

STATE EX REL S BELDEN VS. WM FAGAN ET ALS:

To the Judge of the Fifth District Court in and for the Parish of Orleans, La:

The petition and information of the State of Louisiana by the Attorney General, who officials, on behalf of the State, and in his official character, represents that, for the purpose and object of protecting the health of the city of New Orleans, the General Assembly of the State of Louisiana at its last session enacted a law entitled "An act to protect the health of the city of New Orleans, to locate the stock landings and slaughter-houses, and to incorporate the "Crescent City Live Stock Landing and Slaughter-house Company," approved March 8th, 1869.

That by the expressed provisions of this law all persons are prohibited from slaughtering cattle, hogs, calves, sheep or goats, the meat of which is determined for sale within the parishes of Orleans, Jefferson and St. Bernard, except at the Slaughterhouse established and erected under the provisions and requirements of said law by the "Crescent City Live Stock Landing and Slaughterhouse Company."

That as aforesaid "all animals to be slaughtered, the meat of which is determined for sale in the parishes of Orleans and Jefferson, must be slaughtered in the slaughterhouses erected by said company or corporation."

Petitioner further represents that the incorporators of the "Crescent City Live Stock Landing and Slaughterhouse Company, created as aforesaid by the law "approved 8th March, 1869," as aforesaid, have complied with the requirements of said act in every particular.

That they have established and erected at their own expense wharves or landing places for said cattle intended for slaughter, and slaughter-houses "below the present depot of the New Orleans, Opelousas and Great Western Railroad Company," on the west bank of the Mississippi river, in the parish of Orleans

The said company has complied with all requirements of law, and having located stock landings and slaughter-houses as aforesaid, it is unlawful for any person to attempt to slaughter any animals outside of said slaughter house. houses erected and established by said company or corporation, and within the territorial limits of the parishes of Orleans, St. Bernard and Jefferson—the mean whereof is determined for sale in the parishes aforesaid.

Now, your petitioner further informs this honorable court, that Paul Esteben, Louis Roch, Jean Pierre Rocque, William Mayle, Solomon Finberg, Barthelemy Bamboy, Wm. Fagan, Jos. Daniel Brodrick, Martin Lannes, Joseph Gitzinger, Jordan Aycock and Dominique Verges, from leasing, or if they should have leased the tract of land known as the Lower Plantation, above described, belonging to Charles Cavaroc, from using the same for the purposes of said "Live Stock Landing and Butchers' Association of New Orleans," as herein set forth.

The prays that they be enjoined and restrained from using the said tract of land, and its other corporate name, for erecting any docks, ways, wharves, landings, levees, stables, and other enclosures, for the landing, housing, stabling, yarding, keeping and preserving any beef, cattle, cows, sheep, swine, or other animals, designed for slaughter in the parish of Orleans, Jefferson and St. Bernard.

Petitioner further prays that they also be enjoined and prohibited from slaughtering any animals intended for food in the parish of Orleans, Jefferson and St. Bernard.

That they are also about erecting on said land slaughterhouses and other buildings, manufactories, etc., for the purpose of slaughtering animals for market as aforesaid.

Now petitioner informs this honorable Court that the formation of this pretended corporation, with its purposes and acts, are all in direct violation of and in contravention to the said act of the General Assembly of the State of Louisiana, approved March 8, 1869, enacted for the protection of the health of the city of New Orleans, and the incorporation of the "Crescent City Live Stock Landing and Slaughterhouse Company" that these acts, if not enjoined, will produce irreparable injury.

That said pretended corporation has its domicil within, and its landings, wharves, pens, slaughter houses and structures necessary to keep and slaughter animals for market, within the territorial limits, within which it is prohibited for any other person or persons to slaughter or to keep slaughter houses, landings for animals intended to be slaughtered for sale, or to erect any structures to keep them, other than said corporation created by said act, approved March 8, 1869.

Petitioner further informs this honorable Court that there are several suits now pending in the courts of this parish involving the constitutionality of said act of 8th March, 1869 But that, notwithstanding, the persons composing the pretended corporation, styled as aforesaid, the Live Stock Dealers and Butchers' Association of New Orleans," have united, and out an injunction against "The Crescent City Live Stock Landing and Slaughter house Company," and under said injunction are proceeding to erect structures and buildings and slaughter animals for the market of the parishes of Orleans, Jefferson and St. Bernard, in direct violation of the law above cited, and which, to their knowledge, is in full force and vigor.

Petitioner further represents that the security, happiness and prosperity of every community depends upon obedience to and recognition of existing laws, and that there is no security or prosperity when a person or persons, individually or collectively, are permitted to disregard laws and override them at will. This is made to appear with double force when even in connection in this matter that the pretended corporations are fully set forth in the other litigation growing out of said law, and which is made a party to the suits surrounding parishes are calmly awaiting a decision of it in the Supreme Court of Louisiana, as to whether it be "constitutional or not."

Now petitioner represents and submits to this honorable Court: That said pretended corporations have no right thus to violate the plain provisions of law; that said law having been passed to secure and protect the health of this city, it cannot be ignored at will by any persons or persons whilst in force.

Your petitioner further represents and informs this honorable Court, that the State is interested in seeing the laws respected and enforced.

That the litigation under said act of March 8th, 1869, has assumed such form and such complications, as to render it necessary that the State, through her official representative, with all the abilities necessity for the institution of such suits, as to furnish a palpable violation and disregard of positive law.

Wherefore, the premises considered, your petitioner and informer prays that a writ of injunction issue, restraining and enjoining Paul Esteben, Louis Roch, Jean Pierre Rocque, William Mayle, Solomon Finberg, Barthelemy Bamboy, Wm. Fagan, Jos. Daniel Brodrick, Martin Lannes, Joseph Gitzinger, Jordan Aycock and Dominique Verges, from leasing, or if they should have leased the tract of land known as the Lower Plantation, above described, belonging to Charles Cavaroc, from using the same for the purposes of said "Live Stock Landing and Butchers' Association of New Orleans," as herein set forth.

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