The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, SUNDAY MORNING, JUNE 26, 1870. 43d YEAR—Vol. XLIII.—Whole—15,096.

NEW ORLEANS DAILY BEE.

HUFFOUR & LIMET, PUBLISHERS, No. 73 Chartres Street.

TERMS OF THE BEE:

Terms of Subscription—Daily, per annum, to advance, $10; half-yearly, $5; quarterly, $3.

Price of the paper—Single copies, 10 cents.

The Semi-Weekly is published every Tuesday and Saturday. Subscription, $5 per annum, invariably in advance.

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NEW ORLEANS:

SUNDAY MORNING, JUNE 26, 1870.

JUDGE DURELL ON THE FOURTEENTH AMENDMENT.

The Slaughter-House Litigation.

We publish in this issue an abstract of the opinion rendered yesterday in the United States Circuit Court by Judge Durell on the petition of Charles A. Weed to be discharged from imprisonment under an attachment made by James Stafford, a member of the Live Stock Dealers and Butchers' Association, that in violation of the Civil Rights Bill, the Fourteenth and Fifteenth Amendments to the Federal Constitution and the Act of Congress enforcing the latter, he, (Weed) had conspired, combined and confederated with others to infringe the civil rights of the prosecutor, secured by the laws referred to.

Judge Durell recited at length the history of the Slaughter-House litigation step by step and in the order of the various proceedings. He laid great stress upon the fact that it was the Attorney General of the State who had sued out the injunction from the Eighth District Court of Parish of Orleans, under which the acts of Mr. Weed and others, complained of by the prosecutor, Stafford, have been done. He said that Mr. Weed's offence, if any, had been to seek in the courts of the State of Louisiana, what he supposed were his rights and that in conjunction with the highest law officer of the State. Judge Durell's opinion was that even if this, could not be construed as an infringement of the civil rights of the prosecutor, so as to subject him to a criminal prosecution. He might be liable in damages. The Judge was careful to say that his opinion as now rendered did not, in any way, conflict with that of Mr. Justice Bradley in the case of the Live Stock Dealers and Butchers' Association versus The Crescent City Slaughter House Company, in which opinion, he stated, he concurred. Mr. Weed was therefore ordered to be discharged from imprisonment.

It results from this decision that the Civil Rights Bill, the Fourteenth and Fifteenth Amendments and the Act of 31st of May, 1870, to enforce the latter, are dead letters so far as their penal clauses are concerned, where white citizens in a voice them and wherever there is a State law to protect those who infringe them and this in the face of the expressed words of the Fourteenth Amendment which declares that "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of its laws."

Judge Durell comes with his colleagues, Judges Bradley and Woods, that the act of the Legislature of the State of Louisiana incorporating the Crescent City Slaughter-house Company does abridge the privileges and immunities of citizens, which privileges and immunities are protected by the Fourteenth Amendment, and Judge Durell also holds that the act creating the Slaughter-house Company is null and void because of unconstitutionality, for he will hold, say citizens hereafter who goes into a State court and acts in motion the machinery thereof to give effect to this null and void law. That is, as citizens, according to Judge Durell's opinion, may legally do that to which the machinery of a court of justice which he could not be permitted to do of and by himself. It results from this, that all a State Legislature has to do to enable the citizens of each State to violate at will the Federal Constitution and Federal laws, is to make, and then put in force, a law, what it chooses to call "laws," and this in the face of a positive provision of the Constitution that it shall not be done.

The practical result to the Butchers of this decision is, that they nominally to the monopolists of the Algiers Slaughter-House until the Supreme Court of the United States shall have reversed the decision of the Supreme Court of the State of Louisiana on the Slaughter-House question, or issued a writ of prohibition to the Eighth District Court. The Supreme Court does not assemble at Washington until October, so that nothing further than has been done until that time. And unless a truce between the Crescent City Company and the Butchers can be effected, we presume the Metropolitan Police will continue to prevent meat killed at the Crescent Slaughter-House from being sold in the markets.

The attention of our readers is called to the advertisement in this issue, of Mr. Jessie K. Bell, who announces having disposed of his stock of groceries to Messrs. Moran & Noble, whom he recommends to his old friends and customers as worthy of a continuance of the patronage so long extended to himself and to Messrs. Kennett & Bell.

Messrs. A. Carrière & Co., commission merchants and importers of wines, brandies, etc., No. 31 Bienville street, invite the attention of the public to the purchase of their respectable firm. They have constantly on hand, claret in casks and boxes, for the trade and family use, port and sherry wine, and olive oil. They also favor exchange at sight and on time in sums to suit purchasers on London, Paris, Bordeaux and payable in the other principal cities of France. They also make liberal advancements on consignments to their friends in London, Liverpool, Havre, Bordeaux and Marseilles.

THE UNITED STATES COURTS.—The District and Circuit Courts of the United States were adjourned by Judge Durell, yesterday, until November next.

CLERKS' BENEVOLENT ASSOCIATION.—We acknowledge receipt of cards of invitation to a grand Pic-Nic and Ball to be given by the Clerks' Benevolent Association at the Pale Grounds on the afternoon and evening of July 4th.

LIGHT ARTILLERY ORGANIZATION.—Some of our young men, belonging to the elite of society, have organized a company of light artillery, to be attached to the Louisiana Legion. The following officers were elected: E. Le Gardeur, Captain; John Glynn, Jr., T. Trépagnier and J. G. Vienne, Lieutenants, with a list of Sergeants to be found elsewhere.

The steamship One Country, Capt. Clapp, sailed last evening for New York, direct, with a full freight and the following passengers:

H Barney, S Gibbs, Rev Jos Percival, Rev Wm Sharp, S E Spedden, Mrs C Lanier and child, T Richards, Miss A Jones, Mrs Dodson, Mrs J Cummins, R Lawrence, C Nunez, Col J Burke and wife, Mrs Hamilton, Mrs Randolph, 2 children and servant, Miss E Hyde, Mrs E J Drake and child, C H Nuttall and lady, Mrs J A Gates, C Johns and 19 in the steerage.

The steamship United States, Capt. Blanchard, sailed evening for New York, direct, with a full freight and the following list of passengers:

Gen Odlum and wife, L Ladiver, Miss Hattie Ladiver, J Bonny, W E Perry, Mrs W Cooper, Miss Cooper, Miss Lizzie Cooper, Miss Sarah Cooper, J Whitehead, Chas Hanna, Mrs Neale, J Johnson, A Bachman and 60 in the steerage.

BUSINESS BY TWENTY YEARS IS THE APPEARANCE of the man of fifty, or the lady of—never mind how many summers—bare with PRATLEY'S VITALIA. Pleasant, sure, and transparent. No sediment. Sold by all druggists and fancy goods dealers.

WASHINGTON COLLEGE UGLY CLUB.—We are requested to the officers of the Washington College Ugly Club for an invitation to their celebration on the 28th inst. The following are the appointments for that occasion:

Officers: Alston Boyd, President; W. Gibney, Vice President; Frank Roane, Secretary; R. S. Mason, Treasurer. Ugly Men—J. J. Fagan, Alabama; Yain Mansfield, France; Ladies' Man—I. T. Ware, Virginia; Lazy Man—E. J. L. Wyatt, Arkansas; Pretty Man—A. W. Marshall, Kentucky; Little Man—Dot. M. Randolph, Virginia; College Bird—Henry Duvall, Kentucky; College Bore—Henry H. Critic—J. S. Clark, Alabama. Committee of Invitation: J. L. Logan, Virginia; L. H. Raines, Georgia; W. S. Adams, Kentucky; W. M. Johnson, Tennessee; M. W. Ransom, North Carolina; W. D. Postal, Tennessee; F. F. Conrad, Virginia; Gabriel Santini, Louisiana; A. Walker, Louisiana; S. F. Watkins, South Carolina; J. S. Lewis Tennessee.—&c.

CITY INTELLIGENCE.

A FRENCH GENTLEMAN'S DIFFICULTIES. We were rather amused on Canal street, near the corner of St. Charles, the other day, to overhear a dialogue between a French gentleman recently arrived and a somewhat alcoholic specimen of one of Hibernia's sons. "Dite moi," said the Frenchman to the bibulous Irishman, "on je pentacheté des belles chemises?" "Is it chemises you want?" said the other. "Bad luck to you! Chemises is for women, not for men." "Non! non!" replied our Gallican friend, "pas chemises for vomens mais for mens." "Gorrah!" with a hiccup, said the respondent, "that's worse and worse. I never knew man's want chemises before at all, at all!"

"Ma! ma! sar!" said the sore perplexed and somewhat excited Frenchman. "Le desire, six belles chemises dans une boite pour mes plaisirs!" "Speake American," said the more somewhat subdued Paddy, "and I'll answer you." "Six in one box for eight dollar," said Frenchy, endeavoring to Anglicize his former broken. "Och, murther," cried Paddy, "if you want to see six for eight dollars," and at the same time striking an unquestionably Mace attitude, "walk out," by the powers! I'll box you meself for the money." A gentleman who was passing at the time, seeing that affairs were assuming a somewhat perplexed and bellicose situation, at once became mediator and interpreter, and in reply to the French gentleman's wishes, thus in his own language addressed him: "Monsieur, cesse qui désirent acheter."

SIX MAGNIFIQUE CHEMISES DANS UNE BOITE POUR 8 PIASTRES.—des Crates-Gants—Des Anglais—*Mouchoirs*, et tout de la même espece *d'Articles pour Gentilhommes*, et à AUSSI BON MARCHE QU'AUCUNE AUTRE BOUTIQUE en la NOUVELLE ORLEANS, doivent faire rendu chez

CHARLES LEIGHTON,

au renseignes bien leur signes—addressé à la clientèle—

"OUR SHIRT STORE," and "WALK IN AND LEAVE YOUR MEASURES."

We need not add that the French gentleman was puzzled to the above directions most promptly, and from the smiles upon his countenance and the large parcel of goods he carried with him, when he left Leighton's store, we have no doubt he will influence many of his fellow countrymen to give him a call.

Judge Washington.

A FACT DEBATE.

Washington, D. C., June 22.—Gen. Butler and Gen. Farnsworth met in battle array in the House this afternoon, and the occasion was one of rare interest and excitement. Probably no other scene of personal fury was ever allowed more limit in this body, or produced more unparliamentary language. The basis in itself was insignificant, being the question of passing a private pension bill for the relief of one Robin White, over the President's veto. While Butler was advocating the passage of the bill, Farnsworth interjected a charge into the speech that produced a positive sensation, by declaring that Butler had been employed as counsel for the opponent of White, but had turned around to represent the latter before Con gress for a fee of two thousand dollars. He exhibited a certified copy of a document on file in the Patent Office, to show that Butler had received this sum. To this Farnsworth added that Butler had filed a small brief in the Supreme Court, when a suit over the case was pending, as a mere pretence to cover a fee, and that he had turned around to be done really in Congress. "I therefore charge him," said Farnsworth, with the most vehement force and gesture, "with being on both sides of this case, on one side without a fee, and then on the other side of the case with a fee."

By this time the whole House was on its feet. The entire Democratic side came into the centre aisle to see what would follow next.

Farnsworth had the rule read that no member shall vote on a matter in which he is interested.

An attempt to shut off debate and thus end the scene failed, and Butler got the floor in reply. Farnsworth sought an interruption. Butler excitedly said "I d n't yield to a man who has got more beard than brains," alluding to the former's long iron-gray beard.

Farnsworth shouted out "the member may curse my beard, but he shall not come into the house and steal under the shadow of it."

This was received with shouts of "order" from the Republicans and cries of good! good! and loads of approval from the Democrats.

But Mr. Butler went on with his reply, charging Mr. Farnsworth with making an infamous, malicious and false statement. Adding that he acted in the first instance against the White patent for some of his constituents. That he was now called into the case professionally until Mr. White came to him and said his counsel was ill, and asked Mr. Butler to take his place in the Supreme Court on the pending case. He did this by preparing the brief, which he said took him a month, and for which he received the sum named, but that he never argued the case in court, because the counsel first employed was then able to go in himself. Concluding any further interest in it in violation of the law and the position as a member, as Mr. Farnsworth had charged. He concluded amid applause by volunteer firemen working under the contract system, and to have a jolly good time generally.

The New Orleans boys were received at the landing by a delegation from the Mobile Fire Department and escorted to the Battle House, where they were given a perfectly provided for. A sumptuous collation was spread at 1½, to which ample justice was done.

The party numbers thirty runners for Mechanics No. 6, and twenty-five for Hope No. 3, and the usual number of baggage men and about forty outside excursionists. The whole party is in charge of the following named officers: Assistant Engineers—Wm. Swan, Foreman of Hope Hook and Ladder No. 3; Messrs. T. Angel, J. Miller, William Johnson, Mast Kennedy, P. H. Waters, J. B. Farrell, Jr., Hunter Brooks, and M. O. Tracy is the Marshal of the party.

The excursionists leaved under an escort from the 2d Regiment Kentucky Militia, and Ohio Redmen at 5 o'clock this evening.

Rev.—About half-past one o'clock yesterday morning a small wooden building owned by John Tonlon and James Truger, and occupied as a cake and soda stand at the corner of Lafayette and Metairie Road, was destroyed by fire. There was no one present at the time. Loss small and no insurance.

First District Court.—Officer Casey, First Precinct, for false imprisonment, ten dollars or ten days.

The trial of Vincente Bayonne, alias Saragadas, and Pedro Abriel, convicted on the 18th March of the murder of the Mate Ambrosio, near the Port Market, was postponed until Saturday next, on account of illness in M. C. Hughes, the counsel for the convicted murderers.

John Vandergraff, who was convicted of manslaughter and recommended to the mercy of the court on the charge of murder in having killed one Bell in the Fourth Ward, in the Second District of the city of New Orleans, and not, as has been stated, in the Fif