The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, SATURDAY MORNING, JULY 22, 1871. 8TH YEAR—Vol. XLIV.—Whole—15,427.

NEW ORLEANS DAILY BEE

DUFOUR & LIMET, PUBLISHERS.

No. 73 Chartres street.

TERMS OF THE BEE.

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

Rates of Advertising—Transient advertisements having the run of the paper, first insertion, $1 50 per square; each subsequent insertion, 75 cents per square.

For Reading Notices of Editorial Page, transient advertisements, each insertion, $2 00 per square.

Advertisements to be inserted at intervals to be charged as new, each insertion.

First or Editorial Page, monthly advertisements, each square, $30 net per month.

Regular advertisers, who advertise largely, shall be allowed such discount from the above named transient rates as may be agreed upon. In no case shall such discount exceed 25 per cent.

All Business Notices of Advertisements to be charged 10 cents net per line, each insertion.

All transient advertisements must be paid for in advance.

All advertisements not marked for any number of insertions will be published six times.

All bills with regular advertisers shall be rendered monthly.

Weekly Edition.

TERMS—PER YEAR.....$5.

NEW ORLEANS:

SATURDAY MORNING, JULY 22, 1871.

THE LEASE OF THE PICAYUNE TIER.

The City Attorney has advised the Mayor and Administrators that the ordinance passing for ten years to Mr. Charles Morgan, for the use of his Texas Railroad and steamships, that part of the Levee in the Second District known as the Picayune Tier, is illegal and inconsistent with the position taken by the city in the suit now pending between it and the Mobile and Texas Railroad Company. We recognize the inconsistency of the action of the City Council to which Mr. Lacey calls their attention; but cannot so readily concur with him as to the illegality of the lease to Mr. Morgan. The act of the Legislature incorporating the Opelousas Railroad Company and granting ferry and landing privileges to them, certainly authorized the City Council to grant to the company every possible facility for the conducting of a transportation business. To the rights and privileges enjoyed by the Opelousas Company, Mr. Morgan has succeeded and his title to the wharf and its franchises, we believe, considered perfect since the Supreme Court at Washington affirmed the legality of the proceedings under which the road was sold to him. The legal profession we know are divided in opinion as to the power in the Legislature to grant to individuals or companies places of business to have been set apart for public use, but the necessities of commerce at the present day are such that courts are now very much inclined to make the law bend to its demands. Railroads are regarded by most of the courts in the United States, State and Federal, as public ways and therefore whatever spaces they require of the streets and wharves of a city are legally to be accredited to them on the ground that railroads are public and not private enterprises. Grants and concessions to them which involve the use of streets and other public places, are regarded as legal and made in the interest of the public and for the advantage of the public such grants are not regarded as donations to private individuals and made for the advantage of any individuals. The Legislature has an undoubted right to take one of the public ways, a piece of streets for a railroad or other public purpose, and no one can object. So it has been repeatedly decided. Believing then that the city has no power from the constitution and laws of the State to make the lease to Mr. Morgan, we think it would be quite right when he and all the property owners and inhabitants of the Second District were not only willing but anxious to retain Mr. Morgan's railroad depot and ferry boats in their part of the city. They were beginning to look for a great revival of trade in their district in consequence of the lease to Mr. Morgan and will be greatly disappointed should the lease be forced to go elsewhere.

We trust some arrangement can be made by the City Council by which they will avoid occupying an inconsistent position on the subject of these grants and can be able to concede to Mr. Morgan the privileges he asks for.

Mr. Charles O'Conor on the New York Riot.

Our correspondent, the *Bulletin* whose gentlemanly reply to self-complacent and impudent misrepresentation and misrepresentation was always characterized by courtesy, in connection with the New York riot, deserves our thanks, has not come to a different conclusion with regard to the riot, from the proper method of dealing with processions, which have become necessary connection with the disputes as to the rights of the metropolis. Such *in substance* and *under the Bulletin* now says.

They ought to be interdicted on the ground that if they generally interfere with trade and business, and unfairly monopolize the foam the thoroughfares where they ought not to be imposed.

This ground does not strike us as having much force because the processions might leave the main thoroughfares and go where others less crowded. It intended to, it should be on the ground that they disturb the peace and good order of the city. In dealing with such matters we think it is best to avoid any exception by assigning the real reason for the prohibition.

Against the opinion of His Excellency, Governor Hoffman, in this subject in which we are to infer the *Bulletin* does not now concur, we place that of a much abler and more learned lawyer and whose name is the acknowledged leader of the American Bar, Mr. Charles O'Conor.

This gentleman has had a conversation with an attache of the New York *Herald* and as thus reported in that paper

It having been mentioned that Mr. Charles O'Conor, the eminent lawyer, had been in consultation with Mayor Hall and Superintendent Kelso previous to the seating of General Order No. 2 by the Superintendent, Mr. O'Conor was asked had furnished the legal advice on which the order was founded, a reporter called on Mr. O'Conor on Saturday for the purpose of interviewing him. The following conversation took place:

Reporter—Your name has been mentioned in connection with Order No. 2, and I have called on behalf of the *Herald* to see what you have to say upon the subject.

Mr. O'Conor—Well, sir?

Reporter—It is reported that you have discovered some flaws which sustains Mayor Hall's action.

Mr. O'Conor—Not a bit of it. I have given no opinion, and nothing can be further from the truth in the law than to say that I have given such an opinion.

Mr. O'C.—I should have thought it would have occurred to you who would think it worth while getting a lawyer's opinion at all.

Reporter—You think Mayor Hall was right?

Mr. O'C.—I have said nothing.

Reporter—Were you consulted upon the subject before the promulgation of the order?

Mr. O'C.—I have not been in Mayor Hall's office since I sought his advice, now I do consult one at all about any order of Mayor Hall's. I have not been in any way connected with the authorities concerning the procession on the 12th of July.

Reporter—I had an interview with Mayor Hall on Monday.

Mr. O'C.—Yes, I had and I will tell you something of it. Without the consent or the knowledge of his counsel, Mayor Hall an old settlement, a friend of mine, came to me in relation to political parties or society. I did not see Mayor Hall until Monday last. I then supposed the orange procession had been put by authority of the authorities and was surprised that he had no thought of attempting to avoid it and prevented it, or, having any legal authority to prevent it, or having any legal theory to prevent it. My object in calling on Mayor Hall was to volunteer my advice and tender my personal aid in taking a variety of the most summary measures to prevent any interference with it on any pretenses on the future, and I had so stated to the Mayor.

The reporter was about to put another question when he continued: "I will state one of those measures as a specimen, that you may judge of their general character. The newspapers informed me that a recent meeting of delegates from anti-Orange associations, a resolution of non-interference with the Orangemen had been voted. I intended, in my own name, and on my own responsibility, to lodge information against the ten delegates who voted in the negative, and to cause their immediate arrest and confinement until after the 12th had passed—if that should be found to be legally possible. To my very great surprise the Mayor informed me that I would see in the next morning's paper an order from Superintendent Kelso forbidding any processions or collections of people on the street on the 12th, and the most effectual measures had been arranged to suppress any of the pretended 'Target companies,' or other processions or collections of people probably disposed to interfere with the Orange-men's march. The total change from what I supposed to be the intended course on the 12th suggested my tender of service—abandoned, and I withdrew. The interview was very short."

Mr. O'Conor continued: "I would say nothing more at present on this subject, but what truth and rectitude have compelled me to say in answer to your questions for I am not given to prevarication or to say other than I mean might be misunderstood if I stopped here, so I must add one thing. In my opinion, the official conservators of the public rights in the streets of our city could not have taken a course more consistent with law, and with a sound administrative policy in all such cases, than that indicated in Superintendent Kelso's order No. 2."

"One thing more, sir," said the reporter on leaving, "what do you think of Governor Hoffman's conduct in revoking the order?"

Mr. O'C.—The answer to that is plainly implied in what I have told you already.

THROUGH TRAIN OVER THE JACKSON RAILROAD.—We are authorized to state, says the *Picayune*, that the first through train over the Jackson Railroad will be started next Wednesday. We congratulate the energetic managers of the road upon the remarkable speed with which this great artery of travel, which had been so seriously damaged by the recent crevasse at Bolivar Carré, has been repaired. It has been placed in running order much earlier than had been anticipated.

NOTICE TO TEXAS SHIPPERS.—Steamer W. G. Hewes will leave for Indianola via Galveston on Tuesday, July 25th, at 8 o'clock. No freight received before Monday next.

EXCURSION TICKETS AT GREATLY REDUCED RATES.—The Morgan Line are now selling excursion tickets to all celebrated watering places of East Tennessee and Virginia, by the popular Blue Mountain Route. The comforts attending a trip on the splendid steamers running between New Orleans and Mobile, then taking Pullman palace sleeping cars, which run straight to Bristol, Tenn., without change are *unknown* or offered to *pleasure seekers*.

CITY INTELLIGENCE.

The barge Annie Beaver, with 300 tons of railroad iron on board, sunk at her wharf, opposite Gretna, on Thursday night. The vessel belonged to Capt. Vandergrift and was insured.

Nothing was done by the City Council yesterday. It will not meet again until Tuesday next.

In the case of Will Hobson, of the steamboat Belle Lee, accused of shooting Morgan Lee, a boy, the grand jury of Plaquemine Parish Court, Lafourche yesterday entered a *nolle prosequi*.

John Stone and another man, name unknown, had a difficulty in a house on Franklin street, on Thursday night. The vessel belonged to Capt. Vandergrift and was insured.

Le Monde, the ultra Catholic organ, demands the Government to support the Pope in the exercise of his temporal rights.

Paris, July 21.—Criminal proceedings have been commenced against Latour *Saliaud* for calumniating the Government.

General Douay has been presented with the Cross of the Legion of Honor.

The Prussians will evacuate the city of Rouen to-morrow.

Paris, July 21.—The Radicals are actively canvassing for the municipal elections to be held next Sunday.

Notwithstanding the adverse report of the Committee of the Assembly President Thiers intends to defend his policy of protection for on the street.

It is rumored that the Duc d'Aumale and Prince de Joinville have resigned their seats in the Assembly.

In the Assembly to-day Minister Lambrecht explained that the state of siege was still maintained in Paris, because the reorganization of the police had not yet been completed.

London, July 21.—The *Times* says: The act of the Ministry abolishing the system of the purchase of army commissions by Royal Warrant, is a violent wrench of the Constitution and a wanton setting aside of the will of the Lords. It is the same paper regrets that this grave issue has been raised, but expresses the hope that the House of Lords will, in their future action, think of the effect upon the officers of the army rather than indulgent theories on a question.

The *Daily News* approves the conduct of the Government in making themselves the protectors of popular will, and recommends the House of Lords to pass the bill abolishing the purchase of army Commissions.

The *Telegraph* is exultant over the action of the Ministry. It says that Gladstone will be more popular for vindicating the dignity of the Crown than for succeeding in shirking the result of his laborious session, and for reorganizing the differences of the country and guarding the interest of the army.

The *Post* says: The counsel of the Government has been somewhat unceremonious in bringing Parliament into contempt before the people.

The *Standard* asserts that Gladstone has grossly insulted the Queen in the matter of precedent in precipitating a Constitutional crisis.

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Berlin, July 21.—Several decrees were published to-day organizing courts of law in Alsace and Lorraine.

Liverpool, July 21.—Arrived: Sun Rise.

FROM WASHINGTON.

Washington, July 21.—In recognition of the report last night regarding tardy war claims presented by the ladies named telegraphed the following:

I telegraphed July 15th I was ready to testify in person in the case of Mrs. Fair, Mrs. French. Need not some committee have not come for more witnesses. The reading of this message in the committees produced a sensation and new summonses were ordered.

The witnesses particularly wanted by the Democratic Congressional committee are those mentioned in last night's dispatch from Georgia, and Hon. Platt Denham and Mr. Schenck and others from North Carolina. Some summonses had been telegraphed.

Washington, July 21.—Thomas A. scott, the Railroad King, and H. S. McComb of the Jackson Railroad, have bought into the Louisiana Levee Company, and propose to commence active operations immediately. It is understood that the transaction was consummated through the intervention of Senator West, of Louisiana.

Collector Casey is here.

WEATHER REPORT.

Washington, July 21.—The barometer has risen very generally north of Kansas and the Ohio Valley since Thursday, after-noon, and has fallen and risen still more in New England. The area of high barometer having moved eastward beyond our stations, the barometer has varied somewhat on the Gulf coast, where it is lower than on Thursday. The temperature remains quite low on the lower lakes south-ward and eastward to the Atlantic. An area of cloud and rain has extended from the Ohio Valley to Michigan and Lake Ontario and has traveled eastward during the day. Rain and threatening weather is now reported on the coast of North Carolina to Central New York. Rain has also fallen in Northern Florida as is now reported in the Rocky Mountain stations. Partially cloudy and clear weather, with cool northeast and northwestern winds prevails from Kentucky to Lake Erie and Minnesota.

PROBABILITIES.

A small area of cloud and rain will probably pass northwestward from Maryland. Partially cloudy and clear weather is probable on Saturday from Lake Huron to Virginia, and eastward to the Atlantic. An area of thunder storms will probably extend towards Wisconsin, with easterly winds on the upper lakes. No important change is indicated for the Gulf coast, but a storm is probably preparing east of Florida.

As to when or when she was drowned there was no proof, but the theory at the coroner's office was that she threw herself into the river at Carrollton, and that the body was floated to the place where found.

In front of the coroner's papers yesterday stated that as public interest in relation to the case abated he would not hold an inquest, but would refer the matter to the Grand Jury, now sitting, members of the families of the deceased, who, he thought, would be able to throw more light upon the matter than he was. He had made a careful examination, and was satisfied that no indictable evidence which, and which only can warrant such publication, would be forth from giving the circulation.

Treats of Washington.

BRITISH CLAIMANTS INSTRUCTED TO PRESENT IN THEIR CLAIMS.

Washington, July 21.—Attorney Hoyard, Third Secretary in Her Britannic Majesty's diplomatic service, officially announced that he has been appointed agent for Her Britannic Majesty's Government, and is authorized to receive at Washington any claims on the part of corporations, companies, or persons, and submit subjects of Her Britannic Majesty, on the Government of the United States, arising out of acts of the insurgents against the persons or property of subjects of Her Britannic Majesty during the period between the 13th of April, 1861, and the 9th of *April*, 1865, inclusive, and which are not remain unsettled, coming within the provisions of Article 1st of the Treaty of Washington of the 8th of May, 1871, and accordingly all persons having subjects of Her Britannic Majesty who may have claims of the nature prescribed in the said articles, and which they desire to have laid before the Commissioners, to be appointed under these articles, are requested to notify such desire to Washington, D. C., and to transmit to him forthwith the particulars of their claims, together with the vouchers, tary evidence or information in support thereof for the purpose of being submitted to the Commissioners. All documents in support of claims now on file in the Foreign Office, together with those which may be presented in Her Majesty's Legation at Washington, will be sent to the agent for registration and classification and subsequent submission to the Commission.

BY TELEGRAPH.

To the New Orleans Bee.

FOREIGN NEWS.

Thiers Will Defend His Policy of Protection.

Resignation of Duc d'Aumale and Prince de Joinville.

State of Siege Still Maintained in Paris.

Reorganization of the Police Not Completed.

HOME NEWS.

Ku-Klux Committee Witnesses.

Letter from Mr. Jefferson Davis.

Miscellaneous Matters.

FOREIGN INTELLIGENCE.

Paris, July 21.—The contest for the Municipal elections appointed for next week grow daily more severe and exciting.

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MISCELLANEOUS INTELLIGENCE.

New York, July 21.—The Orange and Hibernian Lodges have been receiving large accessions since the riot.

John T. Pickerell has been sent to South Carolina, on a charge of conspiracy to defraud the Huntington-Charlotte and Rutherford Railroad.

Post Office clerk Kirwan has been held in $1000 bail for robbing letters.

The work of rebuilding docks and piers under Gen. McClellan's plans, has been commenced near Castle Garden, the southern end of the city.

New Brunswick, N. J., July 21.—Rev. Dr. Joseph F. Berg is dead.

Hudson, N. Y., July 21.—Abbott's Cotton Mill at Valatie has been burned. Loss $80,000.

Auburn, N. Y., July 21.—Robert Bonfum, indicted for murder last winter, committed suicide in the Asylum for insane criminals.

Chicago, July 21.—A letter has been received from Hon. E. B. Washburne, which indicates beyond question he will not come home this year. He is suffering from neuralgia, and is about to visit Carlsbad for the benefit of his health.

San Francisco, July 21.—The Democracy hilbert to divided into four factions, have agreed upon terms of peace, and propose to become united for the coming election.

Mrs. Higley, who claimed that she had been knocked down and her skull broken on account of the favorable decision in behalf of Mrs. Fair, declines to see the physician sent by the Chief of Police to ascertain the character and extent of her injuries. She claims to have received a threatening letter from Oregon. The detectives are satisfied that the affair is nothing more than a cheap attempt to create sympathy for Mrs. Fair, on the ground that she is a persecuted woman.

The whole business portion of the city of Truckee, on the line of the Central Pacific Railroad, and the great lumber depot of the Sierra Nevada region was burned again yesterday. The loss is immense.

Edward Smith, of the Baltimore, has been arrested at Sacramento after a successful career as a confidence operator. He was in the habit of representing himself as a brother of Mr. Crocker, of the Central Pacific Railroad.

Prince Sohnidken, of Japan, and suite, went overland yesterday.

St. Louis, July 21.—The case of Millier vs. Shephard, manager of Bradstreet's Commercial Agency, was before the Circuit Court yesterday, the hearing being on a motion of the defendant to dissolve the injunction granted a few days ago enjoining the circulation of the July number of Bradstreet's Commercial Reports on the ground of a false and injurious rating of the plaintiff.

Several witnesses testified to the solvency of Miller, his business qualifications, integrity, etc., also that he is doing a large and prosperous business. Mr. King, formerly in the employ of the agency, testified to the mode of transacting with the business agency. He said most of the reports were manufactured in the office. From the time Shepherd took charge, reports were based on old reports. The city reports were all copied into a letter book and then forwarded to New York. A book, called the black book, was kept, in which the names of subscribers, and that a gold-headed cane would often raise a man's rating.

The plaintiff had been removed from the rating of C. C. D. U., a very high rating, to D. E., which meant he was doing business with a capital of less than $500.

A subscription to the agency generally meant an increase of credit—the witness further stated he had manufactured hundreds of reports himself.

Memphis, July 21.—The following will appear in to-morrow's *Avalanche*:

MEMPHIS, July 21, 1871.

Before and since my arrival in Memphis this day, my attention has been called to slanderous articles in certain Radical newspapers, which attack my private character in connection with that of a lady, who it is falsely stated, was traveling under my charge.

It is due to myself as well as to my personal friends to state unequivocally and without delay, that the story in which and in all its essential particulars is unmistakably the instigation of malice and is here-by pronounced utterly false.

(Signed) JEFFERSON DAVIS.

White Sulphur Springs, Va., July 21.—Gov. Randolph, Mr. Davis, Gen. Breckinridge and Gen. Beauregard have engaged cottages for the season.

New York, July 21.—Arrived: India. Arrived out: Cambria.

FOREIGN MARKETS.

Liverpool, July 21.—Evening.—Cotton closed with a hardening tendency. Middling uplands 9¾d.; Orleans 9¾d.

DOMESTIC MARKETS.

New York, July 21.—Discounts firmer. Little or no paper passing under 7. Prime names as high as 6@7. Sterling 109½@109¾ for 60 days; 109¾@110 for sight. Gold 112@112¼; 6s, 1881, 115¾@115¾; 6s, 1867, 113¾@113¾; 6s, 1865, 113¾@113¾; new, 113¾@113¾; 5s, 10-40s, 113¾@113¾.

New York, July 21.—Evening.—Money closed easy. Exchange heavy. Gold 112¾. Government steady. State bonds dull—Tennessees, 72¾; new, 73¾; Virginias, new, 73¾; Louisiana 6s, 75; new, 72; Levees 6s, 72; new, 72; Alabama 8s, 90; 5s, 80; Georgia 6s, 90; 7s, 95; North Carolinas 6s, 38; new, 38; South Carolinas, 73¾; new, 52. Cotton dull—sales 1,200 bales; middling uplands 23c; Orleans 23½c. Flour dull—receipts 17,000 bbls.; sales 5,000 bbls.; State and Western unchanged; Southern dull and unchanged. Wheat dull—receipts 15,000 bush.; sales 40,000 bush.; No. 2 Chicago spring, $1 28; No. 1 Milwaukee, $1 30; amber winter, $1 38@$1 39; white Michigan, $1 40; red winter, $1 32@$1 33; amber winter, $1 34@$1 35; white Kentucky, $1 40@$1 41. Corn dull—receipts 56,000 bush.; sales 30,000 bush.; mixed Western, 57@58c; white Southern, 60@61c; yellow Southern, 61@62c. Pork dull—new mess, $17 50@$17 75. Lard dull—steam, 9½@9¾c; kettle, 10@10¼c. Whisky firmer, 95@96c. Rice dull, 7@7½c. Pork unchanged. Naval Stores and Tallow unchanged. Freights firm.

Charleston, July 21.—Cotton quiet and firm; middling 22½c; net receipts 1 bale; gross 1 bale; sales 500 bales; stock 15,000 bales; net receipts for the week 1,200 bales; gross 1,200 bales; sales 3,500 bales; stock 15,000 bales.

Savannah, July 21.—Cotton quiet and firm; middlings 22½c; net receipts 1 bale; gross 1 bale; sales 500 bales; stock 15,000 bales; net receipts for the week 1,200 bales; gross 1,200 bales; sales 3,500 bales; stock 15,000 bales.

Mobile, July 21.—Cotton firm; middlings 22½c; net receipts 1 bale; gross 1 bale; sales 500 bales; stock 15,000 bales; net receipts for the week 1,200 bales; gross 1,200 bales; sales 3,500 bales; stock 15,000 bales.

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Baltimore, July 21.—Cotton quiet and firm; middlings 22½c; net receipts 1 bale; gross 1 bale; sales 500 bales; stock 15,000 bales; net receipts for the week 1,200 bales; gross 1,200 bales; sales 3,500 bales; stock 15,000 bales.

Cincinnati, July 21.—Cotton quiet and firm; middlings 22½c; net receipts 1 bale; gross 1 bale; sales 500 bales; stock 15,000 bales; net receipts for the week 1,200 bales; gross 1,200 bales; sales 3,500 bales; stock 15,000 bales.

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