NEW ORLEANS DAILY BEE.

PUBLISHED BY A. LIBERT, PROPRIETOR.

OFFICE 73 CHARTRES STREET.

TERMS OF SUBSCRIPTION:
Daily, per annum, in advance, $10; half-yearly, $6; quarterly, $4. Extra copies, single copies, 10 cents.
Tri-Weekly is published every Tuesday and Friday morning, Subscription, $5 per annum, invariably in advance.
Rates of Advertising—Transient advertisements during the run of the paper, first insertion, $1 per square; each subsequent insertion, 75 cents per square.
Special Notices, transient advertisements, first insertion, $1 50 per square.
Advertisements inserted at intervals to be charged as new each insertion.
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All advertisements not marked for any number of insertions, will be published six times.
Bills with regular advertisers shall be rendered monthly.

Semi-Weekly Edition.
TERMS—PER YEAR.....$5

NEW ORLEANS:
TUESDAY MORNING, MAY 17, 1870.

Amusements This Evening.

ACADEMY OF MUSIC—Billy Emerson's Minstrel Troupe.

THE REVISED CRIMINAL STATUTES.

Judge Abell of the Criminal Court of this Parish on Saturday, rendered a decision upon the rule of Mr. Semmes, counsel for Quinero, to quash the indictment for murder against the latter, the ground of the rule being that the statute under which the indictment was found, had been repealed by the Act of the Legislature of 14th March, 1870. Judge Abell discussed at length the latter act, and expressed his opinion in very decided terms that it had superseded the statute of 1855, the repealing clause of the act of March 14, 1870, admitting of no qualification. Judge Abell cites numerous English and American authorities in support of his opinion; but continues the rule to await the result of a re-hearing before the Supreme Court in the case of the State against Hewen, in which case it was decided a few days ago by the latter court, that the statute of 1855 against murder had not been repealed. Judge Abell's opinion on the question of the effect of the repealing clause of the act of March 14, 1870, is completely at variance with that of the Supreme Court on the same point. The Supreme Court intimates it would be mischievous and absurd to construe the act of March 14, 1870, as repealing the act of March 14, 1855, and that courts ought to avoid such a construction. Judge Abell on the other hand cites authorities to show that courts have no power to correct mistakes or omissions of the Legislature. He also quotes the action of the Legislature of 1855, in which year the statutes of the State had been revised and codified in the same manner as they have been revised and codified in 1870. He shows that the Legislature of 1855, in repealing all laws and parts of laws not found in the code of Mr. Phillips of 1855, prudently inserted a *saving clause* in these words:

"Section 126. That this act shall not operate as a discontinuance of any prosecution already commenced, nor as a barr to prosecutions for offences committed against any law in existence at the passage of this act."

The act of March 14, 1870, contained no such saving clause, but absolutely repealed all previous laws.

The result of the opinion of the Supreme Court is simply this—that the plain words of a statute may be set aside by a court when those words are mischievous or absurd. The court says the laws existing since 1855 have not been repealed, while the Legislature says they have been repealed. The court supplies the omission of the Legislature. The court looks into the motive and intention of the Legislature. The court comes to the relief of its radical friends in the Legislature.

There might be some reason in this construction of the law of March 14, 1870, had the provisions existing laws been re-enacted word for word, but this we find upon a closer examination is not the case. In a late article we erroneously said they were the same, word for word. Many of them have been materially changed. So Mr. John Ray, the codifier, says in his report. Here is an extract from his report to the Legislature, showing the extent to which he carried these changes:

"Conforming the statute law to the Constitution of 1868, and erasing from it all laws and parts of laws sustaining and regulating the institution of slavery, and so shaping them as to do away with all distinctions between citizens as to their public, civil and political rights, *required some change in a great many of the statutes.*

"It has been found necessary in a great many instances to change the phraseology in order to simplify the laws, to correct their incongruities, and in some instances to insert entirely new provisions, suggestions to supply deficiencies in the law. Almost every law has received some verbal or other change."

How any court can say that laws which have received verbal or other changes, can be the same laws as those which previously existed is beyond our comprehension, but we look for anything from a court which has rendered so many political judgments, among them that in the Slaughter-House case.

Mr. Chief Justice Ludeling, in his concurring opinion in the Brewer case, plumply contradicts his beloved friend John Ray. Mr. Ludeling thinks that the intention of the Legislature not to abrogate the old laws is clear. Says he:

"I think it the intention of the lawmakers not to abrogate the old law be clearly manifested in the act, in whatever mode it may be done, it will be equally efficacious in preserving the life or validity of the law. In this case that intention is clearly manifested by the re-enactment of the whole law."

But then Mr. John Ray says and he ought to know, because he was the lawmaker, that the old laws as they stood were not embodied in the new code. He says positively that "almost every law received some verbal or other change."

When such eminent lights as John Ray and John T. Ludeling contradict each other so directly what must the common people think?

Query—Which is the law—the Ray code of the Phillips code? According to the Supreme Court it is the Phillips code.

The Slaughter-House Matter.

This matter appears to have assumed a new phase, which we regret to state may give a year or two of life to that odious monopoly institution, styled the Crescent City Live-Stock Landing and Slaughter-House Company.

Our readers will recollect that the Butchers' Association first enjoined this company from acting by proceeding in the Sixth District Court, from which dilemma the latter were relieved on giving bond.

But Attorney General Belden, assuming to act in behalf of the State, obtained an injunction from the Fifth District Court against the Butchers' Association to prevent them from doing business at the Bakery Plantation, or elsewhere except at Slaughter-House Point. This injunction has never been bonded, and leaves matters in this ridiculous or anomalous attitude, viz: That the suspensive appeal taken by writ of error to the Supreme Court of the United States, while it keeps the Slaughter-House Company leaves the Butchers' Association at the mercy of the Attorney General until final decision by the Supreme Court at Washington, that officer, according to present indications, being determined to force them over to Slaughter-House Point into the jaws and under the control of the Slaughter-House Company, on the ground that he does not, according to rumored intimations, consider his injunction obtained from the Fifth District Court as having been affected by the writ of error granted by Judge Bradley. It is consequently rumored that he will proceed at once to execute the decision of the Supreme Court of the State as soon as it becomes final in this court.

However, there may be a turn to all this. You may deprive a horse of water by tying him up, but you cannot force him to drink even after you have led him to the spring.

THE MEMPHIS APPEAL.—This sterling Democratic journal—one of the very best of our exchanges—has lately had an accession to its editorial corps of a veteran of the profession. We refer to M. C. Galloway, Esq., late editor of the Memphis Avalanche. Mr Galloway is a States' Rights Democrat of the old school and a powerful writer. He will make himself felt on the *Appeal*.

Passengers for steamship Mariposa, from New York:

Geo. Francisco, Agnis and wife, Messrs. A. Schlegter, A. Gerson, F. Hammer, John Forster, Thos. O'Brien, and four in steerage.

THE EMPIRE WOMAN'S—To the seven wonders of the world an eighth has been added. It is a fluid without had smell, sediment, or odor, that changes the gray or hair to its youthful shade, in from five to ten applications. This peerless of the age is PHALON'S VITALIA, OR RAVIVATOR FOR HAIR. Sold by all druggists and fancy goods dealers. 17

The New Orleans Bee.

NEW ORLEANS, TUESDAY MORNING, MAY 17, 1870. 43d YEAR—Vol. XLIII.—Whole—15,061

CONCERT.—A grand vocal and instrumental concert, complimentary to Senor Juan E. Saloedo, will be given this evening at Odd Fellows' Hall. Among the artists who have volunteered their services we notice the names of Prof. Chase, Braun, and the celebrated Chilian violiniste and pianiste, Miss Filomeno.

CITY INTELLIGENCE.

Great Excitement in the Public Schools—Attempt to Force in Colored Children.—As was one of the results of the recent action of the Republican clubs, in appointing a committee of colored men to urge and hasten the admission of negro children into the public schools, an attempt was made yesterday morning at the Fisk and Bienville Schools, respectively in the First and Second Districts, to carry out the spirit of the resolutions which the clubs, under the new school law and the teachings of Parson Conway had adopted.

Between 8 and 9 o'clock the committee, comprising seven or eight colored men, applied to Mr. Dyer, Superintendent of the Fisk School, which is at the corner of Franklin and Perdido streets, to have three colored boys, who accompanied them, admitted as pupils. Mr. Dyer replied that the hour fixed for receiving new pupils was from 9 to 10 o'clock, and that the subject of receiving colored pupils should be referred to the Division Superintendent of Schools, Mr. Carter.

One of the committee, Isabelle, called Mr. Dyer's attention to that clause of the school law which provides a penalty for refusing to admit colored children into the schools. Mr. Dyer responded that he was familiar with the law, but he had to decline admitting them without orders from his superior. Besides, he could not admit them for the same reason that he would refuse female children, because no provision had been made for them by the Superintendent.

To this his interrogator replied: "I am to understand, then, that you will not receive these children?" and Mr. Dyer responded: "I do not say so, but simply refer you to Mr. Carter as it is my duty to do. When he decides it will be time for me to answer your question."

The committee then withdrew with their charge to the Bienville School, which is at the corner of Bienville and Robertson streets, where a similar interview with like results occurred between them and the Superintendent of the school, Mr. Croman.

These schools—one in each district—seemed to have been purposely selected. The proceedings of course created great excitement, which rapidly spread over the city, causing parents to rush to both schools, and more or less to all the public schools, some to remove their children, and others in anticipation of a disturbance, while all the schools named larger crowds of excited whites and blacks speedily collected, causing the police to interfere to disperse them.

At the Fisk school, as soon as the colored committee entered, all the pupils seized their books and rushed out into the yard, most or many of them going home.

All was quiet at last accounts.

The German May Fest.—There was a very large and happy portion of our German population in procession Sunday, accompanied by Jaeger's band, who marched to the Oakland Course and Park for the purpose of celebrating their annual May festival, or Volksfest. The occasion throughout was very interesting, which we should be pleased to notice at length did our space permit, and had not our contemporaries anticipated us by their accounts.

The procession from the Turner Hall to the Race Course and Park was led by Mr. H. Opitz, assisted by Messrs. Karnstedt and Wahlstab. The Turner Rifle Section was commanded by Capt. Armbruster and Lieuts. Hesse and Zahn. The Singing Section was led by the well-known voice of Mr. Kornberger. The Turn generals closed the procession under command of the Second *Turnwart*, Mr. W. Potthoff.

The festival at the grounds was opened in a short but happy address to all present, by Mr. L. Mieg.

In the evening the platforms and the grounds were illuminated with portable gas apparatus, and at dark Mr. Henry Lazarnick, the well known pyrotechnic artist, let off a splendid display of fireworks.

The following is a list of the officers of the *Turngemeinde*: President, L. Mieg; Vice President, F. H. Schmidt; First Turnwart, Henry Opitz; Second Turnwart Wm. Potthoff; Recording Secretary, L. Bermes; Corresponding Secretary, A. Wahlstab; Assistant Secretary, C. Schmidt; Treasurer, S. Schmidt; Assistant Treasurer, F. Hatch; Keeper of Apparatus, etc., Wm. Schlichting; Librarian, H. Stahl.

No Jeopardy.—Mr. Chevalier did not go up with his so-called novel balloon or aerial ship at the Fair Grounds Sunday because Mr. N. Miller, of 70 St. Charles street, caused him to be arrested, he having become Mr. Chevalier's security for the expenses of the balloon, and entitled to the receipts from spectators. The latter was compromised by placing the receipts in the hands of Mr. Luther Homes as arbiter.

Wheat in Bulk.—The steamer Simmonds, which arrived Saturday, brought over 50,000 bushels of wheat, all in good condition, from Winona, Minnesota, and intended for shipment to Europe.

Sixth District Court.—Judge Cooley has rendered his decision, making perpetual the injunction restraining the City Railroad Co. from laying a double track on the central ground of Canal street, from Claiborne street to the Metairie Ridge. The suit was brought by J. M. Hoyle.

Judge Cooley also delivered an opinion this morning, making the injunction perpetually restraining the Board of Police Commissioners from interfering with their Treasurer, Mr. Burbank, and from electing a person to fill his place.

Supreme Court.—G. A. Fellowes, Esq., counsel for the Butchers' Association, yesterday filed with the clerk of the Supreme Court the writ of error and bonds on which they were granted by Mr. Justice Bradley, of the U. S. Supreme Court, sitting at Galveston, in and for the Circuit embracing this State and Texas. The object is to prepare all the papers in the several cases involved for record for the U. S. Supreme Court. The bonds in the several cases amount to $125,000.

Fourth District Court.—In this court came on yesterday the case of L. D. Labadie, suing Col. Dumontel for $500 damages for refusing to place advertisements in his confectionery on Canal street.

Messrs. A. J. Field and E. Filleul appeared for the plaintiff; E. Larrieu, and Messrs. Atocha and Hornor for the defendant, Col. Dumontel.

The jury were sworn in the case as follows: Saml Thompson, foreman, Fred Schertel, J. O. Fallon, Philip Huth, Chas. Bernard, John M. Theodore and Michael Taney, white men; and C. H. Love, E. Bonnée, A. L. Augustin, Louis Martin and William Preston, colored men.

In forming the jury some of the white jurors very candidly acknowledged that they would not render a verdict for the plaintiff under any circumstances, "according to their opinion"—the words quoted being part of the question propounded by the counsel for the plaintiff. A question correspondingly applicable was put to the jurors addressed by the counsel for the defendant, as follows: "If a white man resists the claim of a colored man for a right pretended to be a legal right, are you willing to render justice to the white man, provided he be entitled, under the law, to resist such claim?"

Mr. Fillenl opened the case by reading to the jury the petition of the plaintiff, in which he claims of defendant $500 damages for refusing to sell him refreshments in his confectionery on Canal street, on account of plaintiff being a colored man. The action is brought under the provisions of the Civil Rights bill and the act of the Legislature of Louisiana, session 1869, entitled "An act to enforce the Thirteenth Article of the Constitution of Louisiana."

The answer, as read by Mr. Hornor, is a general denial of the allegations of the petition.

James Graham, State Auditor, sworn—He testified to the character and form of the blanks used in granting licenses to parties engaged in business under the provisions of the late enactments.

C. E. Lemarie, State Tax Collector, sworn—Had issued licenses to Col. Dumontel, such as shown him in court.

Cross-Examined—Defendant objected to proving contracts of Col. D's license in this way. Thereupon counsel for plaintiff called for defendant's licenses for 1869 and 1870. The last was produced and the production of the other waived.

Witness continued—I do not know who received the printing on the back of the license—the one produced. This license back of the license of 1869, as printed on the forms for 1870.

Cross-Examined—This license was issued by my Clerk on the 16th day of May, 1870, so that there was no license for 1870 up to that time, on account of Col. Dumontel's protest, that he would not take a license, except under protest. Which he made in writing and which I have.

(This protest reads: "New Orleans, 1870. C. E. Lemarie, Esq., State Tax Collector. Sir: I notify you that I protest against the clause printed on the back of the license which I am compelled to take from you under threat of seizure, and that in receiving the same, I in no way yield any legal right I have to contest the same, and in no way feel myself bound by said endorsement.—F. Dumontel.")

Witness had notified Col. Dumontel to pay his license, under threat of seizure, as per notice produced. It is dated May 5th, and requires payment in ten days from notice.

Cross-examination—I first saw this notice to-day at my office. The old law expired Dec. 31st, 1869. The collection of licenses begins in February—time being allowed to prepare them.

The plaintiff himself and two or three other witnesses, one a white man, testified as to the facts of the demand of plaintiff for soda water, and the refusal to furnish him, and that plaintiff made his demand under the knowledge that a fund had been raised by the colored people to test such cases under the Civil Rights bill, procurement of the license at Mr. Lemarie's office, the license at Mr. Lemarie's office, the crossing on the back of license was made by Col. Dumontel in his presence, and at the time he handed him the license, the protest, the Colonel said he would not take a license without it. Witness did not authorize the crossing on the back of the license.

The case was continued till 10 o'clock this morning, when the testimony will be resumed.

Obituary.—We regret to notice the announcement of the death of the wife of Col. A. P. Mason, which occurred at the residence of her husband in the city. Deceased was daughter of our distinguished citizen, Judge John A. Campbell.

City Mortality.—There were 145 deaths in New Orleans last week. Of this number 21 were occasioned by small-pox, and the rest by various ordinary causes.

Inquest.—Coroner Avila held an inquest yesterday, at the foot of Piety street, on the body of an unknown white man found drowned in the river. The deceased was dressed in black pants and vests, blue sack coat, with side pocket, congress gaiters, white and black striped flannel shirt, green necktie and leather belt. In the pocket was found a rosary. Verdict—"Found drowned."

Singular Preference.—By a law of the last Legislature, whenever a negro is refused refreshments in a public place, the suit he may institute for damages against the proprietor, has a privilege and preference over all cases, without exception, wherein white people only are interested.

Fire at the New Slaughter-Houses.—About 2 o'clock yesterday a fire was discovered in one of the stalls of the new slaughter-houses of the Butchers' Association, on the Cavaroc or Delery plantation. It originated in a pack of hay in front of one of the mules of the stable, and speedily communicated through a hole in the loft to the roof of the building, burning several sections of the roof, and inflicting a loss of several thousand dollars before it was discovered and extinguished, the flames being suppressed with the blood of slaughtered animals combined with water, almost as much as with water itself, so that all hands could have something to pour upon them at once. It is supposed to have been the work of some incendiary in the interest of the Algiers monopoly across the river, and, as will be seen by the advertisements on both sides of our paper, the Butchers' Association have offered a reward of $2000 for the culprit.

Shooting on St. Charles Street.—About 7 o'clock last evening Alex. Newton, keeper of the cigar stand connected with the "Press" saloon, on St. Charles street, opposite the Academy of Music, shot and slightly wounded Pat. Brady in the head, all in consequence of some difficulty about some money which Brady had borrowed. Brady had been on a spree, and Newton it is said tried to avoid him for fear of a difficulty.

The Emerson Minstrels.—Billy Emerson, the great New Orleans favorite, with his celebrated troupe commenced an engagement at the Academy of Music last night. As might be expected the house was crowded and everybody delighted.

BY TELEGRAPH.

To the New Orleans Bee.

FROM WASHINGTON.

Congressional Proceedings.

FOREIGN NEWS.

Miscellaneous Intelligence.

WASHINGTON ITEMS.

Washington, May 11.—HOUSE.—The features of the proceedings to-day were the postponement of the Tariff bill until after the passage of all Appropriation bills, which is equivalent to an indefinite postponement. A report from the Ways and Means Committee of a partial internal revenue bill, repealing most of the special taxes on gross, as to liquors and tobacco manufactures and dealers, and contract and receipt stamps, and continuing the income tax at 5 per cent., the exemption being raised to $1500.

The passage of a bill reported from the Judiciary Committee to prevent the unlawful population in the exercise of suffrage, providing pains and penalties against any State officers or individual citizens, who attempt to prevent the exercise of that right. The usual large number of bills were reported and referred.

The internal tax bill will come up for action early next week. It reduces taxation by $35,000,000.

Washington, May 16.—SENATE.—The bill to repeal all laws authorizing transportation and exportation of goods, wares and merchandise without the United States, was reported from committee, without amendment.

The bill to enforce the Fifteenth Amendment was considered. An amendment was proposed to enforce proceedings by the District Attorneys in their several districts against persons holding offices who are ineligible under the Fourteenth Amendment, imposing upon conviction fine and imprisonment and disqualification for office thereafter; also, re-enacting the Civil Rights act. Discussion ensued, Ferry expressed the opinion that all political disabilities of the Southern people would be removed in the course of two years. Morton declaring the policy a failure, and hoping the Senate would repeal the test oath which might be defeated in the House.

Washington, May 16.—The Congressional caucus did nothing beyond making appointments for appointing Congressional committees.

Washington, May 16.—Gen. Clarke appeared before the Committee on Commerce to-day, and succeeded in getting the committee to agree to appropriate sufficient money to continue the work on the Galveston Bar.

Washington, May 16.—Internal revenue receipts today, $1,250,000.

The new San Domingo treaty was not sent in to the Senate to-day.

A special meeting of the Cabinet was held this afternoon, the object of which has not transpired.

The Committee on Foreign Affairs favor the submission of the California and China cable $50,000 per year for twenty years.

The President made the following appointations to-day: Phillip Jacobson, United States District Attorney, for the Southern District of Mississippi; P. B. Hawkins, Postmaster, Bowling Green, Ky.

The Secretary of State requests the Governor of Michigan to prevent any armed expedition passing from Detroit or Michigan toward the Red River county, without express permission from Washington.

The Freedmen's Bureau Howard Corruption investigation still progresses, but nothing tangible has transpired.

The new Internal Revenue bill was reported to-day. It takes taxes off of nearly everything, except fermented liquors, illuminating, tobacco, cigar stamps and stills, and imposes a tax on sales, except on by dealers, is abolished; also the tax on legacies and successions, and the gross receipts from railroad corporations, are reduced to two per cent. Although the tax on receipts of theatres and museums is retained.

The income tax is fixed at 5 per cent. with an exemption of $1500, but all the inquisitorial features of the tax are abolished.

The tax on gas, pianos, carriages, watches, etc., is done away with.

The tax on tea is reduced one-half, and all public moneys deposited in banks by collectors of internal revenue to be credited to the account of the Treasurer of the United States.

Various stories are afloat concerning the reasons for the special meeting of to-day. One report is that the San Domingo treaty was under consideration; another makes it that our Indian policy was discussed, while another assigns the discussions to New York and New Orleans Catombouwe. The authority of the prominent officials is half for asserting that no question was discussed which should agitate unduly the public mind.

Gen. Smith left here to-night to meet Red Cloud at Fort Fetterman where he arrived on Sunday.

The party are expected here in about a week.

Red Leaf, who accompanied Red Cloud, is not the sanguinary chief of the Brule Sioux, as has been reported, but belongs to the Ocallalas. The other is dead.

The President, Gen. Sherman and several cabinet officers, Baron Gerall, Senators and Representatives were attending a celebration here to-day for laying the corner-stone of the Steuben monument, which was done with Masonic honors.

Schurz and Degenhof, of Texas, made speeches.

The special Agent list of the Treasury Department has been reorganized in accordance with the law just approved by the President.

A new district is to be established on the Rio Grande, and the Department is confident of preventing further infractions of the laws in that locality.

Several important seizures were reported to Commissioner Delano to-day of establishments violating the revenue laws—among them a rectifying house and distillery at Charlotte, N. C., and a match factory at San Francisco.

The Senate Military Committee have agreed to report a bill paying a company of Tennessee scouts, attached to the army of the Cumberland, $50,000.

MISCELLANEOUS INTELLIGENCE.

Milwaukee, May 15.—Further particulars of the La Crosse disaster were received by the train to-day, and gives the number probably lost as four—Miss Mary Adelrich, La Crosse; the colored barber on the boat; an old gentleman from Kentucky, on a pleasure trip, supposed to have been burned on board, and an elderly lady, name unknown. The drowned list of names were lost, hence the difficulty of ascertaining the facts. The total loss to the railroad company foots up about $300,000—partially insured. The Wm. Cragg, was valued at $20,000. No insurance. There were numerous other private losses, which make the total loss $200,000.

Cairo, Ill., May 16.—A fire this morning totally destroyed the St. Nicholas Hotel, a brick building on Ohio Levee. After the flames were subdued the South wall fell, crushing the rear of George Obmstead's boat store, and instantly killing Thomas Bavin and Jas. Holmes. The building valued at $50,000, owned by Augusta Lemick and the estate of Samuel Raddaymsured for $30,000, as follows: Hotel was insured for $2000. The First National Bank saved its books and money, and moved to a building of their own, and are doing business as usual. Walker & Session have $2000 insurance on saloon fixtures, which will cover their loss. George Obmstead's boat store and Scott's white dry goods, loss little—the former by the falling wall, and the latter by removal.

Two firemen, Samuel Cline, Gilloffer and Ed. Desonel, were crushed, but not seriously burned. It is rumored that a fourth person was killed by the falling walls, but two only are discovered.

New York, May 16.—Governor Hoffman vetoes the Arcade Railroad bill which proposed to run under Broadway.

New York, May 16.—Mr. Crosley, in the *Tribune*, to-morrow, will urge Congress to appoint commissioners to fix the location of the capitol.

San Francisco, May 16.—An English squadron under Commodore Hornsby arrived from Yokohama.

Arizona advices state that the Indians killed nine whites during the last week in April.

New Mexico still quiet.

St. Louis May 16.—The Coroner's jury this afternoon, rendered a verdict that the collision near Eureka, last Thursday morning, was caused by disobedience to orders and the culpable negligence of Wm. Ayers, conductor, and Joseph Tracy, engineer of the extra train, in running the said train at least 15 minutes behind the time given them through the orders of the train dispatcher. Orders have been issued for the arrest of Tracy, but so far, he has eluded the officers.

Bernhardt Heshanpt hung himself to a tree last night.

Indians attacked a working party on the Kansas Pacific Railroad, between Kit Carson and Willow Springs. Ten men belonging to the grading party were killed.

New York, May 16.—Gen. Jordan makes an appeal to the citizens of New York for clothing and other assistance for the destitute women and children of Cuba.

The officers of the elevated railway in this city subjected their roads to the test of moving very heavy weights of pig iron over it to-day, when the longest rails proved defective, and giving way under the test load in the street. No one hurt. The opening of the railway to public use will not be delayed more than three days by the occurrence.

Chicago, May 16.—The famous breach of promise case of Amanda Craig vs. Elias Sprague, which was tried about a year since, is to be repeated, the Supreme Court having remanded the case for a new trial. Miss Craig obtained at the last trial damages to the amount of $10,000, which was afterwards reduced to $40,000 by the promises of the defendant's counsel.

J. D. Webster, freight agent of the St. Louis and Chicago Railroad at Dwight, shot himself through the breast yesterday, and will doubtless die. Domestic infelicities is the cause.

FOREIGN INTELLIGENCE.

Paris, May 16.—A decree is published announcing the Duke De Grammont Minister of Foreign Affairs; Jacques Philippe Rouher as Minister of Public Instruction, and Charles Ignace Pinchon as Minister of Public Works.

The Emperor's health is excellent. He attended the races yesterday, walked a long time among the people, and was heartily cheered.

The list of Fathers now opposed to infallibility number over a hundred.

Paris, May 16.—Madame Ollivier, wife of the Minister, received the decoration of Noble Ladies of Spain.

Madrid, May 16.—In the Cortes, Saturday, a Republican deputy made a speech in favor of the Federal Republic as all existing in Cuba notwithstanding the reported statements on the part of the Judiciary Committee that had been terminated Senor Monet, Minister for the colonies, replied at some length, persisting that the insurrection is really ended.

Predatory bands of insurgents are still in Cuba, and some skirmishes have lately occurred, but entire order would soon be restored. The official news from Captain General De Rodas gives universal satisfaction.

Toronto, May 16.—Troops continue to leave for the Red River country. The gunboat Rescue leaves for St. Mary's river, cautionary against the Fenians.

Madrid, May 16.—In the Cortes, Minister Moret promised an early introduction of the bill to abolish slavery in the colonies.

Queenstown, May 16.—The steamship Gloria and Nebraska arrived.

London, May 16. In the House of Lords, tonight, Lord Stratleden introduced a bill rendering education compulsory, and providing for the support of the public schools. Action was postponed pending the consideration of Foster's bill.

London, May 16.—Fifty persons who arrived from Birmingham, England, today armed with revolvers and having plenty of money, were arrested as Fenians.

The peace between the Sappho and Cabria on Saturday was false, not withstanding rumors to the contrary.

Ministers Motley and Clarendon have signed the naturalization treaty.

London, May 16.—The supposed Fenians who were arrested here have been remanded to jail, the evidence being unsatisfactory.

Rev. Thomas Dale, Canon of St. Paul's Cathedral, aged 73.

English pilots speak highly of the sailing qualities of the Sappho. They say she shipped no water, and made sixty miles on one reef.

London, May 16.—In the House of Commons today, Mr. Lefevre, Secretary of the Board of Trade, explained the proposed reduction in the Shipping dues, which equally to steamers and sailing vessels.

House went into Committee on the Irish Land bill, and considerable time was spent in discussing details. The clause in which provision is made for allowances to tenants, for the cost of Ulster Tenant Right Gladstone believed it would create confidence in Ireland. The Government would be amply able to withstand any such advance made. Gathorne Hardy considered the principle socialistic, and believed its practicable effect would be to multiply the number of small holdings. Fortescue and Potter supported the clause, which was put to a vote and sustained by a majority of 47. The Government subsequently assisted other attempts to amend the bill. The House came out of committee and took up the Irish Church bill.

The measure was opposed because it shortened the term of service to three years to facilitate the recruiting. Cardwell showed that the object of the bill was to place the Republican side with the white voters and thus prevent a long debate the bill was read a second time, and the House adjourned.

Queenstown, May 16.—The steamer Amerique, from New Orleans, arrived here today in distress, having lost her rudder.

Southampton, May 16.—The steamer Olympia from Baltimore, arrived here to-day.

FOREIGN MARKETS.

Liverpool, May 16.—Evening.—Cotton dull; sales 10 bales; Orleans 11¾ a 11¾d; middling uplands 11¼d, of which 2000 were for export and speculation.

Havana, Saturday.—Sugar.—Nearly all the centrals have finished grinding, and, not withstanding foreign advices, Havana is quiet. Stocks are rapidly decreasing. Prices unchanged; sales in warehouses at Havana and Matanzas 553,000 boxes and 38,000 hogsheads.

DOMESTIC MARKETS.

Louisville, May 16.—Cotton inactive and drooping; middlings 22c; Flour $5. Corn less active and weaker, at $1 20 a $1 22. Tobacco—sales to-day 100 hhds at $6 a $19 50 for frosted to good leaf.

New Orleans, May 16.—Evening.—Cotton closed heavy; middling uplands 23¼c; middling Orleans 23¾c; sales to-day 1500 bales.

New York, May 16.—Evening.—Money closed at 3@5c. Sterling 9¾@9¾. Gold closed at 114¾@114¾c. Governments closed strong; Southerns steady.

New York, May 16.—The steamship Cortes arrived from New Orleans today.

St. Louis, May 16.—Flour firm—fall superfine $4 35@4 50.

Cincinnati, May 16.—Family Flour $5 10 @5 40. Tobacco unchanged and steady. Cotton unchanged and quiet; middlings 22½c.

Chicago, May 16.—Flour quiet and unchanged.

FROM SOUTHWEST PASS.

Southwest Pass, May 16—6 P. M.—Barometer 29.70. Weather calm.

Arrived—Steamship W. G. Hewes, at 6:30 P. M., Tripp, Master, from Indianola via Galveston to C. A. Whitney & Co.

No departures.

On the bar, bound out, ship Albert Gallatin.

(Sunday's Dispatches.)

Rome, May 15.—The Ecumenical Council closed discussion on the catechism. The debate on primacy and infallibility was commenced to day. The ultramontane party have great confidence in the result, and believe all will be finished within a month. About one hundred members have given notice that they will oppose, more or less, the radically proposed definition of infallibility.

London, May 15.—At the annual press fund dinner last night, Wm. Henry Smith presided, and Lord Houghton orated.

The second race between the Sappho and Cambria was won by the Sappho. The Cambria made no contest.

Paris, May 16.—The Corps Legislatif reassembled. No developments regarding the new Cabinet.

Havana, May 15.—The cannon recently captured in the Middle Department have been burned on board, and an elderly lady, name unknown. The drowned list of names were lost, hence the difficulty of ascertaining the facts. The total loss to through the intercession of the American Consul at Trinidad, the Captain General has committed their punishment to exile. The insurgent leader, Manuel Carsedal, with one cannon and forty men, all armed, voluntarily surrendered at Camarones. Carsedal and some of his men tendered their services to the Government, and were permitted to assist the troops in their search for other insurgents. In consequence of this surrender two hundred persons have presented themselves for pardon to the authorities in the Trinidad urisdiction.

Washington, May 15.—Amount in the Treasury to-day: Coin, $105,782,000, including income certificates, $65,436,500; currency in Treasury, $115,505,000.

Internal Revenue receipts for the month, $9,252,495; total for the year, $146,220,344.

For the companions of Guicouria the Government will intervene in their behalf. The intercession will be made to save their lives.

It has been asserted that Secretary Fish allowed Gen. Goicouria to be garroted without interfering in his behalf. This is not true. As soon as it became known that Goicouria was captured Secretary Fish sent a note to the Spanish Minister, Mr. Roberts, asking him if he would use the Governor General of Cuba to prevent his immediate execution. Three hours afterward Mr. Fish received a note from Mr. Roberts saying that before he could get a telegram to Havana Goicouria had been garroted.

Cotton movement for the week shows an enormous falling off in receipts, the decrease being nearly twenty thousand bales. Receipts have kept up unusually well of late, but the large decrease this week is important, as indicating the approaching close of the cotton season. Our exports of other products have been light for some time past, and Europe has ceased to take American bonds in this emergency. Cotton has been the great medium of settling our foreign indebtedness, and just at the time that Europe wants little else from this country, cotton receipts fall off largely. This has led bankers to advance rates of foreign exchange during the week close on the shipping point for gold.

New York, May 15.—An expedition of three hundred men, all Cubans, except two American captains, left here early Saturday morning as passengers on the steamer San Domingo. They carried seven thousand rifles, six large guns, and uniforms and equipments, powder, etc.

LARGE CONSIGNMENT OF MINNESOTA WHEAT.—Messrs. C. E. Slayback, of this city, have received on consignment a large shipment of Minnesota wheat per steamer Imperial, and four barges. It comes from Winona, Minnesota, and is the property of Mr. John Robson, of that place, who makes the shipment for the purpose of trying this market. Winona is distant from New Orleans two thousand miles—a long distance to bring such a cargo without breaking bulk. The wheat is in splendid condition, and, in quantity, amounts to 51,455 bushels.

Passengers per steamship Cuba, from Baltimore, Key West and Havana:

Edward Wilkerspon and wife, Mrs Rodriguez, M. Klein, Dr. E. Williams, D. Allen, S. Andrews, Major J. R. Hyde, wife and child, Lieut. H. H. Hipple, Mrs J. Reynolds and 3 children, Mrs J. Quinn and daughter, Major J. H. Quinn, Lucien Pierre, Thos Hart, J. R. Rodriguez, John Ivar Neal, M. M. Morgan, Henry Argula, M. S. Slaver, Jas Blake, J. B. Calhon and wife, F. Hollman, Jas Hallman, Sidney Woods, Stanislaus Jonathan Cutche Boley, R. H. Kirby, J. A. Dunlaine.

MONETARY AND FINANCIAL.

MONDAY EVENING, May 16, 1870.

Nothing has transpired to indicate any material change in the Money market. On the street All notes with unquestionable collaterals and All business paper without collaterals are quoted at 10@12 per cent. per annum, and second grade at 14@18 per cent. per month. All mortgage paper at 9@10 per cent. per annum and second grade at 11@12.

Gold opened at 114¼@114¾, (against 114¾ at New York and closed at 114¼@114¾ against 114¾. The sales in Indiana $4000 at 114¾; $4000, $5000 and $10,000 at 114¾; $8000 at 114¾@114¾; $5000, $7000 and $10,000 the latter buyer's opt. at 114¾, and $8000 and $20,000 at 114¾. Nothing reported in silver.

The business done in Foreign Exchange was limited, rates ranging so much in favor of the course of gold, but closing at about the same as on Saturday. The sales of Sterling embraced $20,000 of bankers' bill at 9¾; $2000 at 9¾; $2000 at 9¾; $2000