THE NEW ORLEANS DAILY BEE.
BESPOUR & LIMET, PUBLISHERS,
No. 72 Chartres Street.
TERMS OF THE BEE:
Weekly edition—Daily, per annum, in advance, $6; half-yearly, $3; quarterly, $1.
Price of the paper—Single edition, 10 cents.
The daily edition—published every morning and Sunday evening. Subscription—$10 per annum, invariably in advance.
Rates of Advertising—Standard time—Ten lines (or less) nonpareil, the area of the paper, first insertion $1 00 per square, each continuance insertion, 75 cents per square.
First, or Editorial Page—Three times Advertisements, each insertion, $1 50 per square.
A reasonable discount will be allowed to those who advertise by the month, quarter or year.
Regular advertisers, who advertise largely, shall be allowed a liberal discount from the above rates. Those who advertise occasionally, or for a short time, shall be charged the above rates.
Yearly Advertisements will be taken at the following rates, viz:
A Yearly Business Advertisement to be changed as often as desired, one square, $100.
A Yearly Business Advertisement to be changed as often as desired, two squares, $150.
A Yearly Business Advertisement to be changed as often as desired, three squares, $200.
A Yearly Business Advertisement to be changed as often as desired, four squares, $250.
A Yearly Advertisement must be paid for in advance.
A Yearly Advertisement not confined to any particular portion of the paper, but will be inserted according to the convenience of the publishers.
Yearly Advertisements for a less space than one square, will be published six times.
All bills with regular advertisers shall be rendered monthly.
NEW ORLEANS:
SUNDAY MORNING, APRIL 25, 1869.

THE GEORGE ALCES' CIGARS,
183.....Rampart Street.....1858

THE FAMOUS McCARDLE CASE.

The celebrated McCardle suit, which has been pending on appeal more than a year before the Supreme Court of the United States, has at last been decided without a decision upon the questions raised in the suit. Our readers will remember this suit arose under an application of W. H. McCardle, editor of the Vicksburg Times, for the benefit of the writ of habeas corpus, addressed to Judge Hill, the United States Circuit Judge in Mississippi, alleging his illegal imprisonment by Gen. Ord, the then District Commander of the State, under the Reconstruction notorious Congress. Judge Hill having denied the authority of Gen. Ord to be valid and the imprisonment of McCardle to be lawful also, refused to discharge him from arrest. McCardle appealed to the Supreme Court of the United States, and that court has dismissed the appeal on the ground that Congress, by a late act, has deprived it of the jurisdiction conferred upon the court by the act of 1867, which authorized it to entertain appeals in cases arising under the Reconstruction acts. The Court, in dismissing this appeal, say that while it is true its jurisdiction is derived from the Constitution, and not from Congress, yet the powers of the Court are by the Constitution, subject to such exceptions as Congress may make. It is therefore ordered and adjudged that Congress, having by an act passed in 1868, declared the Court shall not entertain such appeals as that of McCardle, the Court is without jurisdiction. We have these comments to make on this transaction:

If the Supreme Court did not derive its jurisdiction of the McCardle case directly from the Constitution, it derived it from the act of Congress of 1867, and that jurisdiction had attached before the repeal of the law. It is outrageous that Congress should be permitted to give and take away jurisdiction, and trifle with a solemn ordinance and co-equal department of the Government, and with the Constitutional rights of the citizen in the manner it has. But if a case with in other tyrannical proceedings, which it pretends to justify by the law of necessity, a law which justifies the avoidance and nullification of all law. The denial of justice to McCardle is a palpable violation of the duty of the court to carry out the provisions of the fundamental law of the land—that very law which the Supreme Court was created to administer and enforce. The policy raised by Radicals was not "technical," as a contemporary asserts, but essential and fundamental, and one which concerns every man living under the protection of the Constitution and laws of the United States. What sort of protection that is, we learn by this act of dereliction of the highest judicatory of the land.

This decision, however, has been anticipated and therefore the country has not been taken by surprise. The court has shown signs of weakness for some years past and last spring it avoided a decision of the very case in the expectation that Congress would pass an Act repealing the law which gave the court jurisdiction over such cases. It was in response to such importations to which the court had subjected itself by this postponement that that venerable magistrate and jurist, Mr Justice Grier, uttered a year ago from his place on the bench of the Supreme Court at Washington in presence of his Associates, who were about to betray their trust, these memorable words:

"This case is fully argued in the beginning of this month. It is a case which involves not only the liberty and rights of the appellant in this case, but of millions of our fellow citizens. The country has a right to expect that it would receive the immediate and solemn attention of the court. By the postponement of the case, this court will subject themselves to the charge of cowardice or majesty, to the imputation that we have avoided the performance of a duty imposed upon us by the Constitution and acts of legislation interposing to supersede our action and relieve us from our responsibility. I can only say I am ashamed that such reproaches should be cast upon the court and that I cannot be refuted."

After such a judgment our words would seem to be idle. This utterance is enough to immortalize the speaker, fruitless though his protest was.

THE IMPERIALIST.—We have received the first two numbers of this publication. Its original matter is written in a polished as well as vigorous style, and indicates that men of earnestness, clearness, and talent constitute its columns. Its selected matter is very readable, and few persons will attempt to controvert the fact upon which the *Imperialist* commences. The second number speaks of the opposition with which it has had to contend in New York city on the part of stove-dealers and others. This is simply disgraceful. Let this paper have free course. You only prove your fitness for an Emperor when you would suffer the utterances of your fellow citizens on such a subject. Those utterances are put in the form of arguments clothed in the purest and most forcible language. Imperialist advocates the cause of no particular individual.

We do not think the people of the United States are prepared for an Emperor, although a change has already taken place in the sub stance of their Government, making it no longer Republican. What ought to be done in view of that fact is a matter for the very wisest heads in the country to consider.

THE HAVANA LOTTERY.—Messrs. Bornio Brothers, No. 77 Grevier street, advertise in our columns to-day the new plan of drawing in the Havana Lottery. It is signed by the Administrator General. It will be seen that improvements have been made in the plan of drawing, which offers more advantages than the old one. The popularity of the Lottery, already great, will no doubt be enhanced by these improvements; a popularity due to the fairness with which the business is conducted and the promptitude with which the winning prizes have been paid. There can be no doubt on the mind of anybody that prizes of large amount have been won by citizens of New Orleans, and that the money was promptly received by them.

The ticket for the $30,000 prize of the late drawing (April 18th) was sold in this city, being divided among several persons. A portion of the money was immediately enclosed before the arrival of the official drawing—by Messrs. Bornio Brothers. Those gentlemen will give all information on the subject.

THE FRENCH OPERA.—To-night will be performed the drama, in five acts, of "Les Pompiers," founded on an episode in the operatic life of the British army in the East Indies, the massacre of Delhi and the relief of Lucknow. Characters by the dramatic troupe, Messrs. Grevier, Moreau, Julien, Chamonin, Dubois, Gilbert, Gaston, and Mesdames Moreau, Gay Cave, etc., etc.

On Monday night, for the last time, the opera, by Donizetti, of "La Favorite," with Mesdames Bourgeois and Cheirvon, Messrs. Pinet, Perout and Van Hoffman in the leading characters.

THE OPERA ASSOCIATION.—The Opera Association is now complete, the charter having been signed by most of the subscribers, they are requested to meet on Monday afternoon, at 3 o'clock, over the office of the Union Insurance Company.

HAVANA CIGARS.—Messrs. Bornio, Brother, 77 Grevier street, invite the attention of the public to their stock of Havana cigars, through our advertising columns. They import the finest qualities. Purchasers may rely upon the genuineness of their stock, and upon buying on as good terms as at any other importing house.

APPLETON'S JOURNAL.—We have received this 85th number of this excellent weekly paper. Contents: "The Man Who Laughs Or By The King's Command," by Victor Hugo, book III, chapter 1 to 5; "The Women of Rochester," by the author of the "Banshee of the Abbey"; "To the Centre of the Earth;" "Parisian Popular Legends," "The Loves of New Orleans;" "Seeing the Motherland;" "College Courtship;" "Mahoyan Peculiarities;" "Table Talk;" "Brief Mention."

This number is accompanied by a beautiful cartoon of the "Loves of New Orleans," to the hand of all beholders.

We acknowledge the politeness of Mr. A. Simon, of the Commercial Express Depot, No. 12 Exchange Alley, (formerly 85 Royal street,) for a supply of the splendid Illustrated Papers of the day, including *Harper's Magazine*, for May; *Frank Leslie's* pictorial papers, *The Boudoir Table*, *Banner of the Month*, *Farmer's Ledger*, *Harper's Bazaar*, *New York Herald*, and the French papers of Hyppolyte.

UNITED STATES COMMERCIAL AGENCY.—Dun, Barlow & Co., No. 2 Nassau street, New York, and 236 Merrill, Chicago, Illinois, have established a Commercial Agency in this city, with offices in the Custom House, for the purpose of furnishing reliable information to merchants and others throughout the United States and Canada, in relation to the standing and responsibility of business men in this city, and to collect claims in this city and throughout the South and West. Mr. Charles Morgan, has filed a satisfactory security for the performance of the trust until the 30th inst.

The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, SUNDAY MORNING, APRIL 25, 1869. 42d YEAR—Vol. XLII.—Whole—14,734.

AMUSEMENTS.

THE FAIR GROUNDS.—At two o'clock this evening the great firemen's contest race against time, open to all companies of the Fire Department, will come off at the Fair Grounds. The first prize comprises a gold medal and blue ribbon, and the second a silver goblet—the goblet to go to the company which comes out second in the contest.

Dancing on the platform, under the direction of the committee, will commence at 5 o'clock in the afternoon. Jaeger's splendid silver cornet band will furnish the music for the occasion.

VARIETIES THEATRE.—Monday night the pretty and charming comedienne of the Varieties, Miss Josie Orton, whose engagement this season has contributed so largely to the pleasure of the patrons of that admirably conducted temple of amusement, is to be the recipient of a complimentary benefit tendered by a number of our prominent citizens.

On Wednesday evening following, the last time this season, we presume, that the doors of the Varieties will be opened, Manager Floyd himself is to have a similar complimentary testimonial from the public. For both of the above donations the most select programmes will be presented, and those wishing seats had better secure them early.

CRESCENT CITY MUSEUM.—Col. Ames did not leave the city on his summer campaign with his splendid circus and menagerie combination without providing a good stock of curiosities for his museum on St. Charles street, opposite the St. Charles Hotel, as lovers of curiosities will find by dropping in there any time during the day, and the usual hours of exhibition at night.

ACADEMY OF MUSIC.—The pretty and fascinating artistes, the Worrell Sisters, and their celebrated New York combination troupe, appears to-night, for the last time, in the "Field of the Cloth of Gold"—Miss Sophie in her fascinating character of *Dorothy*, and her sister Jennie in the sweet equally pleasing character of *Sybil*. The piece is filled with pretty specialties and amusing episodes, among them the song of the "Grecian Bend," which, as sung and acted at the Academy, never fails to excite the risibles of the audience generally.

Monday, remember, the Worrells and Company make their first appearance in opera bouffe, their selection being "Barbe-Bleue," (Blue Beard.)

THE PARLOR CONCERTS.—The second of the series of Parlor Concerts, given by Messrs. Chase and Wheat, assisted by a number of amateur artists, drew a crowded audience to Odd Fellows' Hall Friday night, and was in every respect a gratifying success. The audience was an appreciative one, and we were generally delighted with the choice selections and artistic execution of the performers. The piano solo of Mr. Wheat, the son of the Mendelsohn Quartette, the trio, to violin solo, sung by Miss M. G., Mrs. Dean and Mr. Chase, and the Waltz Song, sung with remarkable flexibility of voice by Miss Géorès were really musical gems. Mr. Chase has a remarkably sweet and expressive voice, as well as a pleasing stage manner. The lovers of good music should bear in mind that but two more of these concerts remain to be given, the next one on Thursday the 29th inst.

MUSEUM OF WAX FIGURES.—Mr. Calfskin has on exhibition at his Museum, No. 103 St. Charles street, a rare collection of wax figures, among them *tableaux* of the Maximilian tragedy in Mexico, recent tragedies in Cuba, and various historical and biblical scenes and characters, all well worth seeing.

ST CHARLES THEATRE.—This theatre closed for the present season with the performances of the Wilson Minstrel Troupe last night. Manager Pope, whatever the pecuniary success of his management, which doubtless has been good, has revived the reputation of the St. Charles, and has won golden opinions from all sorts and conditions of men while, through the press, presenting the public, in the selection of his dramatic troupes, companies of remarkable merit, and in the selection of his stock company, employed an elective, unobjectionable corps, and, in fact, fulfilled every promise on the long list of assertions in every bill issued from the office. Mr. Pope will leave the city in a few days. We wish him *bon voyage* and hope to see his genial face in our midst again upon the re-opening of the St. Charles next season.

NEWFOUNDLAND BITTERS.—These bitters, so noted for their tonicity and their health-giving action on the system, and the appetite without which any thing goes to the stomach, which cannot unfortunately be said of all preparations taken before meals. The bitter which the French call *absinthe*, and which is extensively drank by a large proportion of the population in every country, is productive of the greatest evils, and is the origin of one of the most terrible diseases known in modern times, delirium tremens. Newfoundland bitters, on the contrary, are perfectly innocuous, and tend to abate dyspepsia, gastritis, weakness, cramps, and all those other ills with which the digestive organs are afflicted and which torture the lives of so many of our fellow-creatures, especially in warm climates. By their use appetite is revived, the conversion of food into nutriment becomes easy, and a healthy state of the blood and system is induced.

These are facts which cannot be gainsaid and which have elicited the most flattering testimony in favor of the Newfoundland bitters. A young lady, afflicted with gastritis, was induced, at an advanced stage of the disease, to try their efficacy, and was cured in a very short time. Her health was restored and she is now in the full enjoyment of it, after having been on the verge of death. Let her example be followed by all those who are in the same situation, and they will experience the same happy results.

UNITED STATES DISTRICT COURT—JUDGE DURELL.—The case of Macarty vs. Calabrest and Albaisa, managers of the Opera House, which is a suit for $1500 damages claimed because of the ejection of the petitioner from that theatre, was before this Court yesterday, on an exception to the jurisdiction of the Court. The exception alleged that the act of Congress known as the "Civil Rights bill" only gave the Court jurisdiction in cases where it was shown that the petitioner had actually been subjected to duress in the service of the writ, and that the petitioner in this case having made no effort to obtain justice in the State courts and basing his suit upon a mere allegation and affidavit as to his belief that he could not obtain such justice, therefore he had not brought himself within the provisions of the law. Judge Durell decided that the, petitioner's oath was sufficient, and therefore the exception was overruled.

EIGHT BANK RAILROAD AND FREIGHT TRANSFERRING COMPANY.—This company has been organized under the act of the Legislature, approved March 9, 1869, with the following Board of Directors:

Peter Maury, James Wood, Chas. A. Labuzan, Richard J. Evans, and A. B. Bacon.

Gen. C. A. Labuzan elected President, and Mr. Richard J. Evans Secretary pro. tem.

Office No. 13 St. Charles street, room No. 12

A PROFITABLE INVESTMENT.—Bonds or securities that pay from 10 to 12 per cent. interest are considered good investments, yet the business education given at Delbear Commercial College, corner Camp and Common streets, will pay from one thousand to three thousand per cent per annum on the investment, and it is a life estate. Parents and young gentlemen reflect.

The following is the list of passengers per steamship Cuba, from Baltimore and Havana:

Miss Ella Bain, Miss Ella Watts, S McClintock, H Sommer, J Jorgenson, Rudolph Hinze, Miss Frank Reed, J Cole and wife, Miss Nichols, J H Bain, Miss Bain, J Mitchell and wife, S M Hudson, H M Hudson, J Cad Hawley (U S N), F Martin, J H Monroe, R C Gray, Mrs L Shaw and child, Miss Ella Shaw, Miss Shaw and Mr. H E Sentis, H Diaz, J P Diaz, E Fernandez and wife and S E Perez.

The steamship Governor Clay, Capt. Holmes, sailed last evening for New York direct, with a full freight and the following named passengers:

Mr Russell and wife, Mrs Gerrard and servant, S D Ely, wife and child, A Embury, C U Embury, Thos Gore, G Stevens, Mrs Kinney and daughter, Miss Ford, Mrs Prescott, Miss Wolf, S S Coleman, Wm Frith and 9 in the steerage.

The steamship Matchless, Capt. Kimble, sails this morning, at 8 o'clock, for New York, direct, with a full freight and the following passengers:

Mrs Cooper, Mrs Baluf, Mrs Ward, Mrs S W Pike, A Sadwick, F C Clarke, wife and 2 children, Mrs Tapp, S McKeel, Mrs Parmely, F Manchester, R Bodkin, J Robson and 7 in steerage.

Steamboats in New York.

The New York correspondent of the *Mobile Register* gives the following in a recent letter:

"I have been in the habit of going down Broadway from this city. The statement is not in any degree true. There is more of it than ever before, which a large number of Southern gentlemen can testify to, and many of those have seen North about this year. They are found at the bar, on the street, promenading residences, in educational institutions, in the hospitals, in mercantile establishments, and in fact, fulfilling every clime, employed as clerks in wholesale stores, and, in fact, following every occupation on the long list of avocations in every city. Even there are largely and consciously employing capital abroad, some noted element of Southern men and women, large quantities of Southern money and property, and two hundred millions of money are to be purchased almost every day in New York, Southern happiness is to be found in the happy country, and Southern pleasure is found in the most country, and Southern pleasure is found in the most country, and Southern pleasure is found in the most