The New Orleans Bee.

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Weekly Edition.
TERMS—PER YEAR ..... $4.
NEW ORLEANS:
SUNDAY MORNING, AUGUST 6, 1871.

THE POWER OF MUNICIPAL AUTHORITIES OVER STREETS AND PUBLIC PLACES.

In the observations made by us yesterday touching the proposed removal of the sugar landing from the Second District to the upper portion of the First, we expressed the opinion that there was no necessity for the change if the space occupied by the sugar sheds, which belongs to the public, and which should never have been appropriated to private use or individual profit, were restored to its former condition and use. We also expressed the opinion that the way of the Council to do this was clear, because the contract of the city with the Sugar Shed Company was not one of those contracts which the municipal authorities had the power to enter into. This is a legal question which may very properly be investigated by the Council with the aid of their law advisers. We find in the last volume of the reported decisions of the Supreme Court of the United States, an opinion drawn up by Mr. Justice Clifford, who was the organ of the Court on the occasion, in which he considers the power of municipal authorities to grant exclusive privileges or otherwise dispose of the public streets and other public places in favor of private corporations or individuals. It will be seen from the extracts which we make from this opinion that the Supreme Court denied the power of municipal authorities unless empowered thereto by the State Legislature, to grant to corporations or individuals the use of the public streets or places so as to impede the public or interfere with them in their free use and enjoyment of such places. The cases in dispute were The Railroad Company versus The Memphis Railroad. The contest was as to whether the plaintiffs or the defendants should be allowed to construct and operate a railway on Main street in the city of Memphis, the city having conveyed to contract with the plaintiff, and the Legislature having subsequently annulled it and granted similar privileges to the defendants. The questions to be decided were these:

1. Whether there existed any valid contract between the city and the plaintiffs, and if so, the

2. Whether the statute incorporating the second company was a law impairing the obligations of a contract.

In determining the first of these questions it was necessary that the court should consider the extent of the power of the city authorities of Memphis to contract for the construction of a street railroad and to grant for a term of years the exclusive use of a public street for such purpose, without the express authority of the Legislature.

Municipal authorities are doubtless vested with sufficient legislative powers to be empowered in the passage of ordinances for local purposes, connected with the public good, but they are merely executive, and are subject at all times to the legislative control.

The City Council of New Orleans having doubt the permission of the Legislature granted to the Sugar Shed Company for twenty-five years the exclusive use of that ground of the levee of New Orleans which had heretofore formed part of a landing place for steamboats and the resort of their drayers, it would seem to need by the doctrine laid down in the case expounded Mr. Justice Clifford that ordinance known as the Sugar Shed ordinance is void and void.

THE MAGAZINE COURIER.—We have received from our friend, Mr. C. C. Leland a prospectus of a new weekly journal which is about to be issued in this city with the above title. The first number will appear on Monday next, August 14. It will be printed in the French and English languages and is intended to supply the want which now exists of a monthly paper in the French portion of the city. The office of the Courier is in the Claxton Press building, corner Gravier and Camp streets.

We wish the new paper every success and cordially welcome its proprietors and editors into the journalistic ranks of the city.

THE REGATTA AT BAY ST. LOUIS.—The steamer Frances will leave Lake End, for Bay St. Louis on the arrival of the 6 A. M. train from New Orleans Monday, which will afford an opportunity to those desiring to witness the regatta at that place to enjoy a pleasant sail across the lake.

THE ICE-KING REFRIGERATOR is admirably designed for preserving in a good condition meats and other comestibles which rapidly spoil when exposed to the atmosphere in warm weather. It is to be seen at No. 8 Carondelet street.

RICE.—The steamer St. John arrived on Friday night from Baton Rouge, having on board 7 barrels new rice from the Senatt plantation, parish of St. James. It is a good article and will shortly be in demand.

BY TELEGRAPH.

To the New Orleans Bee.

FOREIGN NEWS.

President Thiers Opposes the Bill to Indemnify Losses.

No Action on the Income Tax Bill.

Late and Important from Mexico.

Cuban Filibusters Arrested in Montreal.

HOME NEWS.

Ku-Klux Committee Investigations

Prosecuting Witnesses Arrested as the Murderers Themselves.

North Carolina Elections.

Murder by Indians in California.

Miscellaneous Matters.

FOREIGN INTELLIGENCE.

Versailles, Aug. 5.—In the Assembly today the bill to impose a tax on the incomes of natives and resident foreigners came up and gave rise to an animated debate. No action was taken.

The Assembly also considered the bill to indemnify citizens for the loss of property during the German invasion.

President Thiers spoke several times and was frequently interrupted. He was visibly affected and bitterly reproached the members. He declared he was always willing to relieve, but not indemnify those who had suffered during the war. "Without disposing of the bill the Chamber adjourned until to-morrow.

London, Aug. 5.—The Duke of Argyle will preside at the Glasgow celebration of the birth of Sir Walter Scott.

Tom Tom Hughes, M. P., is prostrated by sudden illness. The American ship Southampton, ready to sail for New York with a cargo of coal, was burned at Liverpool this morning.

The British iron-clad frigate Warrior, which was ashore at Leghorn, got off and was towed to Spezzia for repairs.

Lady Franklin has paid several visits to the studio of the American artist Brad, and has given a banquet in his honor at her residence.

The schooner-yacht Alice, belonging to Sir John Deacon, Bevonia in the race yesterday for the Prince of Wales challenge cup. The Aline is a vessel of 216 tons and was built in 1866.

Liverpool, Aug. 5.—Arrived—Bark F. H. Armstrong, from Galveston, and ship Cospordown.

Montreal, Aug. 5.—The Cuban enlistment committee, the excitement of the week. Yesterday two filibuster recruiting sergeants were arrested. Stennes was held and Robinson bailed.

Montreal, Aug. 5.—An investigation of the charge against the alleged Cuban filibusters is proceeding before the police magistrate with closed doors.

Additional affidavits have been made against the alleged leaders of the enterprise.

It appears the testimony against Major Robinson is quite of a serious character.

Cartier, the Queen's counsel, is conducting the case on behalf of the Spanish, and Dunbar Browne appears for Major Robinson.

The examination will be resumed on Monday.

FROM MEXICO.

City of Mexico, July 30, via *Havana*, Aug. 5.—The permanent committee of Congress finished counting the electoral votes for President on the 27th inst. The following is the result: Juarez, 1952; Lerdo, 1603; Lerdo, 188. There being no choice, according to the Constitution, the election goes to Congress, where if a coalition of the opponents to Juarez is effected, the majority will be against him.

A strong protest will be made to unseat votes of the opposition.

The permanent deputation is known to be hostile to Juarez.

The enemies of Juarez report he proposes to bribe the doubtful Congressmen and imprison others before they can reach the capital.

On the other hand the *Diario*, the official organ of the Government, declares that Juarez has a majority over all his competitors. In this conflict of authority and direct contradiction of the statement it is impossible as yet to decide who is actually elected. The States of Puebla, Oaxaca and San Luis Potosi threaten a revolt, and the prospects of the country are gloomy.

Revolution has begun in Tabasco. Fomento Jerico has a bitter article against Protestants and points to the appearance of certain frames as coincident with the introduction of Protestantism, and laments the evil produced by religious divisions.

The same journal calls for restriction of suffrage.

A number of rude images of the human body carved from stone, with strange head of clay and statuettes in the shape of cannon balls, have been dug up near Cardova.

FROM WASHINGTON.

Washington, Aug. 5.—The sub-Ku-Klux Committee have adjourned to the 20th of September.

Lieut. Pickett, commanding the troops in Pontotoc and Monroe counties, Mississippi, testified that a Ku-Klux organization existed in five northern counties bordering on Alabama, to which he believed it was confined in Mississippi.

The purpose of the Ku-Klux was to intimidate colored voters and drive Northerners from their section. Within his knowledge they had murdered nine negroes in Monroe county in the four months he was stationed there. He believed the presence of the troops had a good effect.

PROBABILITIES.

Washington, Aug. 5.—The barometer will probably fall from Illinois to Kansas and northwards, and the conditions for local rains on Sunday remain favorable for the country west of Indiana and Michigan and cloudy and threatening weather will probably continue south and east of Tennessee. Partially and cloudy weather from Virginia north and eastward.

WEATHER REPORT.

Washington, Aug. 5.—No material change is reported from the Pacific and Rocky Mountain stations. The area of low pressure which ordinarily exists at this season of the year from the Ohio and Missouri rivers northward into British America is now returning to its average position, and the barometer has fallen since Friday afternoon from Lake Superior to Kansas, and westward the southern extremity of this area of this low pressure, which was Friday dislocated eastward into New England, now forms an isolated area of low barometer of New England, and the pressure has risen from Vermont to Virginia. The barometer is to-day low in the Southern and Gulf States, with threatening and rainy weather east of the Mississippi. The clearing weather of Friday night north and west of the Ohio Valley is now again followed by partially cloudy weather.

MISCELLANEOUS INTELLIGENCE.

New York, Aug. 5.—Hon. Wm. Orton, President of the Western Union Telegraph Company, is ill with typhoid fever.

The French squadron started to-day for the usual round of Glass Drive.

Long Branch, Aug. 5.—King John won the steeple chase in 7:49, coming in a short head ahead of Vesuvius.

Chanck won the mile heats. Time: 1:50¼, 1:52¼, 2:03¼.

New York, Aug. 5.—The following is the Bank statement: Loans have increased $2,000,000; specie a quarter of a million; specie has decreased over three and a half millions; legal tenders have decreased a million; deposits have decreased over four quarters of a million.

Paris, Aug. 5.—The steamship Geo. Washington arrived to-day with the first bale of the new crop of cotton from New Orleans.

The Sun professes to have authentic information of the safe arrival in Lake Erie of the Chinese of another large quantity of arms and ammunition.

The vessel which carried this much needed assistance to the brave Cubans will be a welcome sight on the 16th and was safely delivered in Cuban waters.

The cargo consisted of 1000 Springfield rifles, 1000 rifles, 150,000 metallic cartridges, 1000 pounds powder, half a ton lead, 1000 Remington rifles, 2000 Springfield rifles, 2000 machetes and two twelve-pounder field pieces.

San Antonio, Aug. 5.—Abraham Kenaing, President of Arizona, with a number of Comanche Indians, by Apache Mountain, because he had killed six them with assassinated.

Tagee Lucie, in Brazoria district, Arizona, is pronounced equal in richness to Comstock Lode.

Mr. Brooks, a merchant of Snellings, in Mercer county, disappeared suddenly from the Cosmopolitan in this city, and as he was possessor of a large amount of money and many valuables, its hinted he has been murdered. His wife is a native of Rochester, N. Y.

New York, Aug. 5.—The Turner festival will be inaugurated in Brooklyn to-night, by a grand reception in Turn Hall. They parade through the streets of the Eastern Districts. Mayor Kalbfleisch presides, and will deliver an address of welcome to the visitors from the other cities.

The ceremonies conclude with songs and chorus by 100 scholars of their school.

Wilmington, Aug. 5.—Indications seem more favorable to-day for a defeat of the Convention by a very small majority.

The Republicans claim the State by 3000 to 15,000 majority, while the Conservatives still think the issue is doubtful, with the chances in their favor.

The returns are only in from about one third of the counties and they not official.

Needham, N. C., Aug. 5.—Jas. F. Pickrell, a New York banker, was brought before Judge Rodman of the Supreme Court, by a writ of habeas corpus, in this city, Thursday.

After hearing the case, the prosecutors agreed to abandon a portion of the proceed and submit all questions of account to referees. Pickrell would not sue them for damages. The proposition was accepted by Pickrell and all the parties returned to Wilmington.

Memphis, Aug. 5.—Smalley, Chapman, Bowden and Red, charged with Ku-Klux-ing a man named Garrett, at Somerbury, Tennessee, are discharged to-day. Wood and Robinson prosecuting witnesses arrested for perjury and committed to jail. Subsequently a State warrant for their arrest was received from Bolton, charging them with the murder of Garrett.

New York, Aug. 5.—There was a narrow escape last evening from a terrible accident on the Long Branch Railroad. One car flew from the track, and then the train, when stopped, was within three feet of Bellcrowbery river.

Cincinnati, Aug. 5.—A secret organization, known as the "United States of America," composed principally of young men, are forming here to oppose Catholicism in all shapes. All nationalities will be admitted.

Niagara Falls, Aug. 5.—The proprietors of the Clifton House have in receipt of information that the Marquis of Lorne and Princess Louise will be here in October.

New York, Aug. 5.—Arrived—Steamer Ledona from New Orleans.

FOREIGN MARKETS.

London, Aug. 5—Evening.—Sugar to arrive 30s. 3d.

DOMESTIC MARKETS.

New York, Aug. 5.—Money 3@5 P. cent. Sterling dull and nominally unchanged. Gold steady. Governments strong—6-20s of 1862, 114¼. State Bonds closed quiet—Tennessees, 78¾; new, 77¾; Virginias 64¾; new 67; Louisiana 67; new 61; Lacs 75; Georgias 80; Alabama 90¼; 5s, 87; Georgias 88; 5s, 92; Mobiles 75; Virginias 64¾; new 68; South Carolinas, 71; 5s, 57½.

New York, Aug. 5.—Cotton easier. Three ware sales of 804 bales of uplands at 19¾c.

(Previous Quotations.)

London, Aug. 5.—The steamer Spain, on a trial trip, easily attained a speed of fourteen knots and one-quarter per hour.

A dispatch from Paris by the Czar Alexander to the Emperor William, after the fall of Sedan, has been made public. Alexander said he would intervene, on the basis of preserving the integrity of French territory.

This intention, however, was spoiled by the Prussians taking Paris. Such trifling things are facts, notwithstanding the denials of the Republicans.

Versailles, Aug. 5.—The Committee of Thirty have decided unfavorably upon the proposition to transfer the Chambers to Paris.

London, Aug. 5.—Count and Countess of Paris have gone to Ireland.

The ship White Jacket, from Bombay for Hull, was totally wrecked in the Indian Ocean.

New York, Aug. 5.—Senator Abbott, of North Carolina, telegraphs: We carried the State against the convention by 10,000 majority.

Elmira, N. Y., Aug. 5.—A colored man mistaking a mulatto for a negro of whom he was in jealousy, shot the mulatto dead.

New York, Aug. 5.—Negotiations are pending to improve the Sierra Nevada Mountains grade.

St. Louis, Aug. 5.—A formidable Indian raid under Sledge, Chief of the Kickapoos, are raiding on Galatin Valley, Montana.

Milwaukee, Aug. 5.—A meeting of managers of railroads and steamboats have decided to make a uniform tariff from Milwaukee points to Milwaukee and Dubuque on grain 25 cents, flour 50 cents.

Burlington, Ind., Aug. 5.—A negro assaulted the wife of a German named Loizer for the purpose of stealing her money. The woman's daughter asleep, attempted a darker crime. The girls screams frightened the villain from the room, upon which she ran through the house and escaped.

Jefferson, Texas, Aug. 5.—Marion county has carried the proposition granting $100,000 of county bonds to the Transcontinental Railroad.

Galveston, Texas, Aug. 5.—It is said the question of a separate State out of the portion of Texas west of the Colorado River, has become a leading topic of discussion and the prevalent views of genuine citizens, the idea of equality is the only rule of right and reason, where two societies are antagonistic and offensive to each other, and thereby not only liable to damage the peace and order of society at home, but endanger our long and peaceable relations abroad, there can be but one rational conclusion, and that is to suppress any public demonstration and forbid the organization and maintenance of all such societies.

But our purpose is not to discuss the present dilemma, believing that the public press is giving it ample justice, notwithstanding the views are somewhat conflicting—favoring, on the whole, the conservative side, and understanding the imminent peril to peace and good order, but to look at the subject in the broader ground of civil completeness, and find, if possible, in the principles and relations of rule that shall answer at all times, and settle the controversy, or enable each one to settle it for himself, in harmony and in consonance with common rights and obligations.

The relation of the subject to the Government—the citizen to the State, has not yet been treated exhaustively. For six months past we have had the Fourteenth and Fifteenth Amendments urged with legal and logical force in favor of the citizenship of women. This controversy brings out the fact that we do not yet even know who are citizens, much less the rights, duties, and obligations, mutual and reciprocal, which interbind the throne and the power behind the throne; grave statesmen, profound jurists, and superficial politicians are on both sides of this incidental dispute, whether from policy or principle we shall not inquire. Men are there, and have committed themselves by word and deed, and law lessons, precedents, statutes, and decisions are being raked up from the musty pigeon holes of dusty reviews; the forces are marshalling into two distinctive parties, and nothing can now prevent a decision in the courts and at the ballot-box. But still we shall be disturbed both, if any better, the greater question of the relations and obligations of citizens to government, whether male or female, black or white.

The want of a correct understanding of the principles underlying these relations, and the abuse of the prerogatives of both the Government and the citizen, is just where we make our blunders, undermine the stability of our fabric, and make it self-destructive as well as ourselves self-stultifying. It is especially true that we should determine just how far organizations may claim privileges and legal protection while concocting schemes for the overthrow of the government, or the revolution of one's own. Possibly there may be such a thing as too much toleration; that liberty may degenerate into licentiousness, and bring in its train a movement in our civilization. It is of importance to look into this matter critically.—*New York Star.*

With regard to the Suez Canal, the *Evening Budget* publishes the following telegram, dated Constantinople, July 27: Lord Dufferin (Sir Henry Bulwer) has arrived here. It is generally believed it is impossible to keep the Suez Canal open and yet continue in the hands of the Egyptian Government, and encourages the Porte to purchase it, as the Khedive is anxious to do so. He says that the means of the company are insufficient to prevent accumulations of sand, which will inevitably choke up the canal unless additional capital and labor be provided. Lord Dufferin also urges the Turkish Government to undertake the construction of a Euphrates Valley railway, on a national guarantee, and the Government has appointed a commission to consider the project.

Position of Merchants Against Transfer of the Sugar Landing.

The following petition, signed by a large number of city leading factors and dealers in sugar, has been presented to the City Council. The signers protest against the transfer of the Sugar Landing from its present position to the Upper portion of the First District, now under consideration of the Council. We cannot permit ourselves to doubt that the reasons given in this petition against the proposed measure will be duly weighed by the Mayor and Administrators of the city. They ought to be sufficient to convince the Council of the injustice which would be done to the inhabitants of the Second District if the change were made.

To the Mayor and Board of Administrators of the City of New Orleans:

The undersigned petitioners, all residents of the city of New Orleans, merchants, sugar dealers and commission factors, respectfully represent that a resolution of Mr. Resick, presented to the City Council at the last sitting, and looking to the transfer of the sugar landing from its present location to the Chalda street wharf, is predicated upon the erroneous impression that the space of the ground which is now located the said landing is insufficient in extent for the purpose to which it is adapted;

Consequently your petitioners respectfully submit that the resolution should be rejected by the Council.

Besides, your petitioners beg leave respectfully to state that independently of the fact that the space of ground allotted for the present sugar landing is sufficient extended for the landing it would be highly detrimental to the commerce of the Second District, and consequently injurious to its inhabitants to remove the sugar landing to Chalda street, or any other locality outside of the Second District; but should the Council deem the present sugar landing insufficient for the wants of commerce, your petitioners respectfully suggest that a remedy is readily at hand, without doing an injustice to the inhabitants of the Second District by simply transferring from its present location the Upper landing. Which is of a superiority either directly or indirectly to the Second District, and by said transfer would extend our present sugar landing down to Toulouse street.

First District Court—Saturday, August 5.—Septimus Fleming, for carrying a concealed weapon, $50 fine or five days imprisonment.

On Mon. Anne Gilford, wife of Mr. Gilford, ex-Justice of the Peace, $5 in the for roughly insulting a respectable who invaded his dwelling to obtain a pecuniary.

On H. C. Bishop, for assaulting Gabriel Plobon, with a stick, $25 fine or imprisonment for ten days.

On H. Lenhart, for carrying a concealed weapon, $50 fine or imprisonment for one month.

On Martin Crager, for carrying a concealed weapon, $5 fine or twenty-four hours imprisonment.

Harrison Young, for assault and battery, $50 fine or fifteen days imprisonment.

The application for a new trial in the case of the Louisiana and Mary Ann Railway Company, for causing the death of a fireman, by serious bodily injuries, was refused.

A Remedy for Sick Headache.

To the Editor of the *New York Herald*:

Sir—Hydrocyanic acid is suggested as a curable. The frequent of the victim call a physician, and all he can do is to try to mitigate the suffering. During the war several soldiers of the Southern army were bitten by rabid dogs. Being on scouting duty, and distant from surgeons or medical aid, horse radish and sweet oil were administered, and, to a mixture, internally, all the stomach would retain and externally as a poultice. The spasms were soon allayed, and the patients were well in a day or two. If any physician having the opportunity give this a trial and report through the press.

SOPPERHEAD.

The railroad from Vera Cruz to the City of Mexico, continuing to a means report of the engineers, is now in the distance of 102 miles, leaving 110 miles yet to be finished. Considerable work is being done, and the length of the annual gross receipts during 1870 on the part of the road from the City of Mexico to Puebla, distance of 116 miles, amounted to $367,000, and the receipts on the line from Vera Cruz to Paso del Macho, a distance of 77 miles, amounted to $197,170. During 1870 the passengers carried from Mexico to Puebla were 118,000 in number. The chief obstacle to the completion of this line has been the great depression of this line, the tunnel of formidable dimensions, which is 900 feet long and 270 feet deep. At first constructing a viaduct, this revise by survey a plan was adopted, by which the road is to run along the cliff of the ravine for some distance, and then cross it where the tunnel can be bridged by a work of comparatively insignificant dimensions.

MONETARY AND FINANCIAL.

SATURDAY EVENING, Aug 5, 1871.

The applications for discounts at banks are increasing but are still with an ample supply of funds available for all legitimate purposes appeared under the Money market continues easy. Street rates are nominal and call short loans are offered at 6@7 per cent per annum for A1 notes with unquestionable collaterals, 8@10 for good do. and 12@18 for good and prime paper without collaterals. 10@12 for A1 single do., and for good A1 mortgage notes and 10@12 for good prime single grade.

Gold opened at 112¼@112¾, against 112¼ at last Friday, and closed at the same, (against New York, at 112¼@112¾). Sales $1000 and $2000 at 112¾, and $2000 at 112¾@112¾. The Sub-Treasury offered $50,000 in gold coin, but no gold was reported.

Nothing worthy of note was done in Silver. It is quoted at 107¼@108¼ for American dollars, and 2¼@3¼ per cent. premium in gold for Mexican dollars.

Foreign Exchange continued quiet and steady. The sales were reported of £12,000, including £1500 bill of lading at 109¾, £2000 A1 clear at 110¼, £4000 A1 bills at 110¼, £1000 A1 clear at 110¼, and £1000 bank at 110¼.

In France $50,000 A1 commercial sold on private terms, and $5000 A1 at 5 per cent. premium in gold for American sterling.

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Domestic Exchange is steady. The banks supplied exchange on New York at sight at ¼ P cent. premium, and we notified sales of $20,000 commercial sight on New York at ¼ P cent. premium, and $20,000 commercial at ¼, and $20,000 and $20,000 bank at ¼.

New York Gold Checks were in good demand for remittance at par@1/16 P cent. discount. $6000 A1 commercial sold at ¼ P cent. discount.

The sales of Stocks included 100 and 100 shares Louisiana Levee at $12; 200 do. at $12 15/16; 100 and 100 do. at $12 13/16; 100 and 100