

IN THE
SUPREME COURT OF THE UNITED STATES.

DECEMBER TERM, 1871.

THE BUTCHERS' BENEVOLENT ASSOCIATION OF NEW
ORLEANS, *Plaintiff in Error,*

—vs.—

THE CRESCENT CITY LIVE-STOCK LANDING AND
SLAUGHTER-HOUSE COMPANY.

In Error to the Supreme Court of the State of Louisiana.

BRIEF OF COUNSEL OF DEFENDANT IN ERROR.

In these two cases, the same questions are involved, and none other, as in No. 61 of the docket of this term, entitled Paul Esteben (Wm. Fagan) *et al.*, vs. The State of Louisiana.

There were six cases, involving all the points in controversy, in the enormous and expensive litigation set on foot by the plaintiffs in error, and their numerous band of friends and assistants; these six were the three now mentioned, and three others in which the writs of error were dismissed on the application of the plaintiffs in error themselves at the last term.

All the cases were tried at the same time, by agreement, in the supreme court of Louisiana; and were submitted to that court on the briefs filed and arguments made in the case of the State of Louisiana on the relation of Simeon Belden, attorney-general, vs. Wm. Fagan and others—which is the case No. 60 of the docket of the Supreme Court, U.S., of this term. (See the copy of agreement in the transcript of Record in the said case, No. 61, Esteben *et al.*, vs. State of Louisiana, pp. 27 and 28).

In these two cases, therefore, the counsel of the defendants in

error relies on the same points and authorities as are made and cited in his brief in the case of Paul Esteben and others, plaintiffs in error, vs. The State of Louisiana, No. 61 of the docket, and prays that his brief filed in that case may be deemed a brief in these two cases also.

Respectfully submitted.

THOMAS J. DURANT,
for Defendants in error.

DECEMBER 12, 1871.