

## THE DUELLIST AND THE LATHERED BARBER.

**The Man who was Caricatured—From Lundy's Lane to a Broadway Barber Shop—The Barber's Clamer for Satisfaction Unheeded.**

Justice Dodge, at the Jefferson Market Police Court yesterday, rendered a decision in the case of José Ferrer de Couto, editor of *El Cronista*, a Spanish paper published in this city, who was charged by Lorenzo Humaseller, a Cuban barber, doing business at the corner of Twelfth street and Broadway, with entering his place on the night of the 31st of May last, acting in a disorderly manner, threatening his life and destroying a picture which hung on his wall. The defendant claimed it was a provoked assault, as the picture was a caricature of himself, holding him up to ridicule, and the complainant was also dealing in and offering for sale a paper, published in the interest of the Cubans, reflecting discredit upon his mother and family connections.

It will be remembered that in consequence of this picture being paraded on the walls a duel was fought between the defendant and Francisco Porto, an enthusiastic Cuban, at Lundy's Lane, Canada, last spring, in which the latter was severely injured, the facts of which, as well as the affray in the barber shop, have been fully reported in the **HERALD**.

The following is the decision rendered by Justice Dodge yesterday;—

NEW YORK, Dec. 9, 1869.

This case appears to me to be one of a frivolous nature, prompted by vindictive motives. The charge of assault, or threatening to assault, is not substantiated; but the facts appear to be that the defendant, being informed that the complainant was publicly exhibiting upon the walls of his barber shop a libellous and scurrilous caricature of him, went into the said shop, asked the complainant respecting the picture, and, upon it being shown him, took it from the wall and tore it to pieces. I do not consider it my duty, under the circumstances, to hold the defendant to bail, particularly as the complainant himself was guilty of very reprehensible conduct, tending to a breach of the peace, in being engaged in the sale of a libellous sheet, holding the defendant up to ridicule and in publicly exhibiting on the walls of his shop the scurrilous caricature in question. The complaint is, therefore, dismissed.

WILLIAM DODGE, Police Justice.