

## CIVIL RIGHTS IN TRENTON.

### A BILLIARD SALOON NOT WITHIN THE PROVISIONS OF THE CIVIL RIGHTS LAW.

United States Commissioner Shreve, of Trenton, yesterday decided the case of Peter Katzenbach, proprietor of the Trenton House, who was arrested several days ago under authority of the Civil Rights act, on complaint of Horace Deyo and Henry Onque, colored men, who charged that he had refused to allow them to play in his billiard saloon. This being the first case under the act in this section of the country, the decision was looked for with considerable interest. The substantial points of the decision are as follows:

The prosecutors say they were denied the right to play a game of billiards in the defendant's billiard-room. This billiard-room is called the "Trenton House Billiard Parlor." It is attached to the hotel, under the same roof with the rest of the house. Sleeping apartments of this hotel are over the billiard-room. The first question is, "Does the peculiar situation of this billiard-saloon make it one of the accommodations, advantages, facilities, and privileges" of the Trenton House? If kept by a stranger, it certainly would not be considered one of the advantages of that hotel. Because kept by the proprietor of the hotel, its character is not changed; it is still a billiard-saloon, regulated just as any other billiard-saloon, only in the way of having it near at hand. May this billiard room be considered an accommodation or advantage, facility or privilege, in the sense in which the Civil Rights bill uses these words? They are there meant to be such as a guest gets in the price of his board; such as smoking or reading in certain appointed places; and one not intended to cover those things paid for extra. If a hotel proprietor keeps a livery stable in connection with his house, in one sense it might be considered an accommodation, but he ought still to be allowed the right of determining to whom he will hire his horses, which he never could do if we must hold every business or employment an inn-keeper chooses to adopt an accommodation or privilege of his hotel to be demanded or enjoyed by all. And so of a telegraph office or barber shop in a hotel. Such things are separate from the hotel business, although perhaps under the same roof, or upon the same premises. In other words, keeping a billiard saloon is a private business with which the law does not and cannot interfere. The owner of a billiard saloon has a perfect right to say he will allow no one but Frenchmen to play, or that he will only allow Englishmen to play. No one can compel him to tell why he will not allow Germans or Spaniards, or colored men or anybody else to play. White men have been excluded because the proprietor chose to do it. The Civil Rights bill bestows no superior privileges. It is enough that the late servant is as his master. The complaint is dismissed as not coming within the law, and the defendant is discharged from further attendance.