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VOLUME VIII—NO. 251. NEW ORLEANS, SATURDAY, JANUARY 30, 1875. WHOLE NUMBER 2402.

AMUSEMENTS.

VARIETIES THEATRE.

JOHN E. OWENS....................Director
THEO. HAMILTON..............Business Manager

Last three nights of the engagement of
MR. LAWRENCE BARRETT,
Supported by T. W. Davey's Dramatic Company.
Thursday Evening, January 28, 1875,
Will be presented Shakespeare's masterpiece,
HAMLET.

Friday Evening—Farewell benefit of Mr. LAWRENCE BARRETT (by request), RICHELIEU.
Saturday Matinee ROSEDALE. Evening—THE MERCHANT OF VENICE.
Monday Evening, February 1—JOHN E. OWENS as JOHN UNIT, in Bateman's elegant comedy of SELF. ja28

ST. CHARLES THEATRE.

TONY DENIER'S PANTOMIME TROUPE.
Tremendous success of the new pantomime,
JACK AND THE BEANSTALK,
Which will be presented this
Friday Evening, January 29,
FOR TONY DENIER'S BENEFIT,
And positively last appearance but one.
JACK AND THE BEANSTALK
Saturday Noon and Evening.
SUNDAY NIGHT—Benefit of Henry W. Mitchell.
MONDAY, February 1—The celebrated Irish comedian and character actor, Mr. JOSEPH MURPHY.

Twentieth Annual Mardi Gras Ball,
FEBRUARY 9, 1875.
NOTICE—Invitations to Ladies can be obtained at the Box Office, on application to Mr. P. GLEASON, Treasurer, subject to the approval of the Invitation Committee.
Prices as usual. ja29

BIDWELL'S ACADEMY OF MUSIC.

Monday, January 25, 1875, every evening during the week, and Wednesday and Saturday matinees, Augustin Daly's UNDER THE GASLIGHT, embracing the full strength of the Academy's Dramatic Company. In addition, several specialty artists, including THE VAIDIS TWIN SISTERS.
Monday, February 1, 1875—THE LINGARDS.
ja24

SALOONS.

HOYT'S VARIETIES BAR,
14..........Burgundy Street..........14
UNDER VARIETIES THEATRE.

Having leased the BAR of the Varieties Theatre for the ensuing season, and having made arrangements that will, I trust, meet the approbation of the most fastidious, I respectfully solicit the patronage of my friends and the public.
no4 3m CHARLES J. HOYT

MISCELLANEOUS.

I HEREBY WITHDRAW
ALL POWER OF ATTORNEY
Given by me.
GEORGE ALCES.
New Orleans, January 28, 1875. ja30 3t

P. A. MURRAY,
CISTERN MAKER,
No. 191 Magazine street, between Julia and St. Joseph streets.
(DIPLOMAS AWARDED IN 1872 AND 1873.)
Cisterns made to order and repaired. All work warranted. A lot of cisterns, from 1000 to 20,000 gallons, made of the best material and workmanship, kept constantly on hand and for sale at prices to suit the times. Orders promptly attended to.
mh16 1y

FOR RENT.

TO RENT OR FOR SALE—EITHER IN block or in lots to suit tenants or purchasers; the Woodlawn Plantation, situated in the parish of Plaquemines, on the left bank of the Mississippi river, at about twenty-four miles below the city of New Orleans, having a superficial area of about 2000 acres. Buildings and improvements comprise a dwelling house, sugarhouse and machinery therein, purgerie, cane shed, cabins, etc.
Apply to H. I. Newcomb, on the premises, or to A. Rochereau & Co., Nos. 16 and 18 St. Louis street New Orleans. ja8 15t

MARSHAL'S MONITIONS.

United States vs. Schooner Ella L. Trefethern.

IN THE UNITED STATES DISTRICT COURT, District of Louisiana, No. 10,603.—In obedience to an admiralty warrant, to me directed in above entitled suit, I have seized and taken into my possession—

THE SCHOONER ELLA L. TREFETHERN, her tackle, boats, apparel, etc., now libeled by the United States for the causes set forth in the libel now pending in the District Court of the United States.

And I do hereby cite and admonish the owner or owners thereof, and all and every person or persons having or pretending to have any right, title or interest in or to the same, to be and appear at a District Court of the United States, for the district aforesaid, to be holden at the city of New Orleans on the first Monday of March, to show cause, if any they have or can, why the said schooner should not be condemned, and be sold agreeably to the prayer of libelant.

United States Marshal's office, New Orleans, January 27, 1875.
S. B. PACKARD
United States Marshal.
ja28 fe9 24 28

United States vs. Bark Galathea.

IN THE UNITED STATES DISTRICT COURT, district of Louisiana, No. 10,598.—In obedience to an admiralty warrant to me directed, in above entitled suit, I have seized and taken into my possession—

THE BARK GALATHEA, her tackle, apparel and furniture, etc., now libeled by the United States, for the causes set forth in the libel now pending in the District Court of the United States.

And I do hereby cite and admonish the owner or owners thereof, and all and every person or persons having or pretending to have any right, title or interest in or to the same, to be and appear at a district court of the United States for the district aforesaid, to be holden at the city of New Orleans on the third Monday of February, to show cause, if any they have or can, why the said bark should not be condemned and be sold agreeably to the prayer of libelants.

United States Marshal's office, New Orleans, January 20, 1875.
S. B. PACKARD,
ja21 30 fe6 15 United States Marshal.

Adam Wagner et al. vs. Steamship City of Houston.

IN THE UNITED STATES DISTRICT COURT, District of Louisiana, No. 10,604.—In obedience to an admiralty warrant, to me directed in the above entitled suit, I have seized and taken into my possession—

THE STEAMSHIP CITY OF HOUSTON, her tackle, apparel, etc., now libeled by Adam Wagner et al., for the causes set forth in the libel now pending in the District Court of the United States.

And I do hereby cite and admonish the owner or owners thereof, and all and every person or persons having or pretending to have any right, title or interest in or to the same, to be and appear at a District Court of the United States, for the District aforesaid, to be holden at the city of New Orleans, on the first Monday of March, 1875, to show cause, if any they have or can, why the said steamship should not be condemned and sold agreeably to the prayer of libelants.

United States Marshal's Office, New Orleans, January 29, 1875.
S. B. PACKARD,
ja30 fe9 20 28 United States Marshal.

United States vs. Schooner Richard B. Locke.

IN THE UNITED STATES DISTRICT COURT, District of Louisiana, No. 10,601.—In obedience to an admiralty warrant, to me directed in the above entitled suit, I have seized and taken into my possession—

THE SCHOONER RICHARD B. LOCKE, now libeled by the United States, for the causes set forth in the libel now pending in the District Court of the United States.

And I do hereby cite and admonish the owner or owners thereof, and all and every person or persons having, or pretending to have, any right, title or interest in or to the same, to be and appear at a District Court of the United States for the district aforesaid, to be holden at the city of New Orleans on the first Monday of March, 1875, to show cause if any they have or can, why the said schooner should not be condemned and sold agreeably to the prayer of libelant.

United States Marshal's office, New Orleans, January 26, 1875.
S. B. PACKARD
ja27 fe9 24 28 United States Marshal.

United States vs. Schooner Anita.

IN THE UNITED STATES DISTRICT COURT, District of Louisiana, No. 10,602.—In obedience to an admiralty warrant to me directed in the above entitled suit, I have seized and taken into my possession—

THE SCHOONER ANITA, now libeled by the United States, for the causes set forth in the libel now pending in the District Court of the United States.

And I do hereby cite and admonish the owner or owners thereof, and all and every person or persons having or pretending to have any right, title or interest in or to the same, to be and appear at a district court of the United States for the district aforesaid, to be holden at the city of New Orleans, on the first Monday of March, to show cause, if any they have or can, why the said schooner should not be condemned and sold agreeably to the prayer of libelant.

United States Marshal's office, New Orleans, January 26, 1875.
S. B. PACKARD,
ja27 fe9 24 28 United States Marshal.

THE LEGISLATURE YESTERDAY.

Senate.

The Senate was called to order yesterday at 12 M. by Lieutenant Governor Antoine. The Secretary called the roll and announced twenty-two members present and fourteen absent. There being a quorum, the Senate proceeded to business.

A communication from the House informed the Senate that that body had concurred in Senate joint resolution No. 11, creating a joint committee to investigate whether there is a bona fide agricultural and mechanical college under act No. 125 of the acts of 1874, and for other purposes; Senate joint resolution No 12, indorsing the action of Lieutenant General P. H. Sheridan in assuming command of the United States troops on the night of the fourth of January, 1875, and preventing bloodshed and riot; concurrent resolution relative to clerks for the committee to examine the books of the Auditor and Treasurer. And also asking concurrence in House bill No. 43, an act to emancipate Althee Dumontier, of the parish of Orleans; House bill No. 47, joint resolution appointing a special committee of the House and Senate to inquire into the alleged organization of illegal and revolutionary societies in the State of Louisiana, and for other purposes.

Senator Kelso gave notice of a bill for the relief of taxpayers wrongfully assessed, and for the payment of taxes in succession leases.

Senator Weber obtained the unanimous consent of the Senate to introduce a bill to be entitled an act explanatory of section ten of act No. 14, approved March 5, 1874. The bill, under a suspension of the rules, was read twice and referred to the Judiciary Committee.

Senator Weber moved that the majority report in the contested election case of Hon. John Gair vs. Hon. John E. Breaux be taken up.

Senator Burch said there were two reports in that case—a majority and a minority report. He wanted both reports considered.

The secretary read both reports.

The majority report is signed by A. J. Sypher and E. L. Weber. It sets forth that John Gair, contesting the seat of John E. Breaux, from the twelfth senatorial district, failed to give the proper legal notice of his intention to contest, and for that reason the committee reported adversely to the claims of Gair and recommend that Breaux be confirmed in his seat.

The minority report is signed by T. T. Allain, chairman of the Committee on Contested Elections, takes opposite grounds and asks that Mr. Gair be seated in the place of Mr. Breaux.

Mr. Burch moved that the whole subject matter be recommitted, and the committee instructed to take evidence and investigate the matter thoroughly.

Senator Weber renewed his motion for the adoption of the majority report. He said the party contesting the seat of Mr. Breaux had not availed himself of the necessary legal steps to do so; that he was now barred by the statute of limitation from doing so.

Senator Allain contended that Mr. Breaux had been duly notified of Mr. Gair's intention to contest.

Senator Blunt insisted that the proper notification had not been given; that if notification was given, it was long after the time prescribed by law, and for that reason Mr. Gair had no case before the Senate.

Senator Weber read from Ray's Revised Statutes to prove that a person intending to contest the election of another must do so within thirty days from the day of election, and not twenty days after the promulgation of the result of the election. He said the members of the committee making the majority report had based their action upon the law. The Senator sent to the secretary's desk a true copy of the notice sent by Gair to Breaux, notifying him of his intention to contest his election. The notice was read. The Senator then continued his remarks. He said figures do not lie; that by the date of the notice it would be seen that Mr. Gair was thirty days behind what the law required, and for that reason he hoped the majority report would be sustained.

Senator Stamps called for another reading of the reports, and they were read by the secretary. The Senator then took the floor and maintained that it was necessary that a promulgation of the result of the election be made before Mr. Gair was required to serve a notice that he would contest the seat of Mr. Breaux. He thought the quibbles of the law should not be allowed to stand in the way of justice. He wanted the case of Gair vs. Breaux thoroughly investigated before deciding it. He did not wish to do injustice to either party, nor did he know how he should vote when the matter was to be determined. He was simply contending for justice in the premises.

Senator Sypher favored the adoption of the majority report at once. In answer to the remarks of the gentleman from Jefferson (Mr. Stamps), who had said he hoped the quibbles of the law would not be permitted to stand in the way of justice in this case, he would remind that gentleman that he had, during the session of 1874, declared in a report upon a contested election case similar to the one now under consideration, that it was necessary to comply with the law and give the requisite notice of contest, or else the right to contest would be lost. Senator Sypher said the Returning Board had returned Mr. Breaux, and he was willing to take that as evidence that that gentleman had been elected. He further said that the law required that certain steps be taken in order to give a contesting party the right to come into the Senate to make a contest, and unless those steps were properly taken, the party was debarred the right to contest.

Senator Burch contended that Mr. Gair could not give notice of his intention to contest until after the Returning Board had promulgated the result of its labors.

By permission Senator Weber asked Senator Burch if he knew that any notice had ever been served on Mr. Breaux?

Senator Burch said the question of the Senator from East Feliciana assisted him in his argument. How was it possible for him, he would ask, to know whether a notice had been served. He was not a member of the committee, and consequently did not enjoy the advantages that the committee might well be supposed to enjoy in that respect. And he would now presume to ask the Senator from East Feliciana a question. He would ask him if he knew whether any notice had been served?

Senator Weber answered that he knew that no lawful notice had been served on Mr. Breaux of Mr. Gair's intention to contest.

Senator Burch concluded his remarks by moving that the whole subject matter be recommitted to the Committee on Contested Elections.

Senator Cage contended that Senators should be governed by the law governing contested election cases, and not by their feelings. He said Mr. Breaux occupied a seat in the Senate, which was prima facie evidence of his election. It was true this fact did not deprive his opponent of the right of making a contest, but he contended that in order to make that contest it was necessary that it should be made in compliance with law. He was not averse to having the whole subject matter recommitted, but he desired to amend the motion so as to instruct the committee when they report back to have their report printed and laid upon the desks of members.

Senator Blunt again reminded Senators that Mr. Gair had failed to make out a case before the Senate.

Senator Wharton opposed the motion to recommit. He said the question to be determined was, had Mr. Gair lost his right under the law to contest. The Senator then referred to a decision of the Supreme Court to show that he had; argued at length to prove that the law of 1872 does not conflict with Ray's Revised Statutes, and concluded by moving to lay the motion to recommit upon the table.

Senator Stamps again obtained the floor, and endeavored to show that his course in the case now before the Senate was consistent with the course pursued by him last year in contested election cases. He had then contended for an observance of the law, and he certainly did not contend for anything more or less now. He desired to give fair play to all parties coming before the Senate. If Mr. Gair had lost his right to contest he wanted the Senate satisfied of that fact.

A vote was then taken on Senator Wharton's motion to table the motion to recommit, and it was carried by a vote of 15 yeas to 9 nays.

A motion to adjourn was then made and lost.

Executive session being called for, the Senate was cleared of all but members.

After executive session, Senator Sypher moved the adoption of the majority report in the case of Gair vs. Breaux, which was the pending question when the Senate went into executive session. After some further filibustering on the question, a vote was pressed, which resulted in the adoption of the majority report by a vote of 17 yeas to 5 nays, and Senator Breaux was confirmed in his seat.

The Senate Finance Committee, to which had been referred House bill No. 20, substitute for House bill No. 4, entitled an act making an appropriation for the payment of the mileage and per diem of members, etc., reported by substitute bill.

The bill reported by the committee, under a suspension of the rules, was read twice, and made the special order of the day for Monday next at one o'clock.

On motion of Senator Blunt the Senate then adjourned until Monday next at 12 M.

House of Representatives.

At a few minutes past twelve Chief Clerk Vigers, in the absence of Speaker Hahn, called the House to order, and requested Mr. Mathews to take the chair. The roll was called, and fifty-five members responded. Prayer was offered by the chaplain. Reading of the journal was dispensed with, after correction, and adopted.

Mr. Murrell called up his resolution in regard to investigating charges preferred against the State Treasurer by the daily papers, to the effect that he had discriminated against the Charity Hospital in cashing warrants. Referred to the Committee on Charitable and Public Institutions.

Mr. Hahn rose to a privileged question and said:

Mr. Speaker, the *Picayune* of this morning contains a humorous and imaginative account of what would appear a contest between myself and Mr. John Lynch upon the matter of the permanent location of the Mechanical and Agricultural College of Louisiana. The public, and especially the members of this House, know that I introduced the bill, which is now a law, incorporating the college, and that, contrary to much outside pressure, I left the permanent location of the college to the wisdom of the board of control, when selected and organized. I refused to be a member of the board when first organized, and on learning a few days ago that the executive had sent my name to the Senate for confirmation as a member of the board to fill a vacancy; I again declined the position; no effort, not even a suggestion, has ever been made by myself or any of my constituents to have the college located in St. Charles parish; the people of that parish are quiet and industrious; they wish to live in peace and be permitted to follow their occupations in their own quiet way, and do not long for the establishment in their midst of institutions managed by State officers and supported by public moneys. The article in the *Picayune* does not directly say that I or the people of my parish have sought to control the location of the college, yet such an impression would be conveyed by its tone on the mind of a careless reader. The Democratic press of this city during the present political excitement, and especially the *Picayune*, under its present management, has been so free from the slanders usually heaped on Republicans in its references to myself that I have not much to complain of, but the implied charge of the *Picayune* has induced me to say this much in justice to my constituents.

Mr. Pierson asked for a suspension of the rules to immediately act upon a resolution investigating the affairs of the Loan and Pledge Association. Referred to Committee on Charitable and Public Institutions.

Mr. Dewees asked leave of absence for one day. Granted.

Mr. Stewart called up a resolution instructing the Speaker to appoint a committee to investigate as to whether the laws in regard to banking games were enforced. On motion of Mr. Demas it was amended by making the number of the committee five instead of three.

Mr. Gracien said that this duty belonged to the Committee on Metropolitan Police.

Mr. Stewart said it was a well known fact that there was gambling going on in nearly every block in the city of New Orleans, and this had been the case for years. The Committee on Metropolitan Police had never reported on this breach of the law. An instance had come to his knowledge where a man had been robbed in a gambling house, by violence, after he had refused to play, and when he called on a police officer to interfere and compel the gamblers to refund the money, the officer replied that his orders were not to meddle with those people. The laws were not inforced, and he hoped this resolution would be adopted.

Mr. Gracien was as much opposed to gambling, perhaps, as the gentleman from Tensas, but he thought that the Metropolitan Police Committee was the proper committee to investigate these affairs.

Mr. Pierson moved to table the resolution.

The order of the day was called and postponed for half an hour, and the yeas were called on the motion to table, which was carried.

Mr. Demas called up on its third reading the House bill detaching the parishes of Red River and Natchitoches from the Seventeenth Judicial District and attaching them to the Eighteenth. Passed.

The Speaker announced as the special committee to investigate the affairs of pawnbrokers, Messrs. Ray, Pierson, Hill of Ouachita, Souer and Sutton.

The Committee on Retrenchment and Reform reported House bill No. 51, substitute for House bill No. 19, in relation to abolishing the Fourth and Third Municipal Courts for the parish of Orleans.

The bill was ordered printed in the journal, and made the special order of the day for Tuesday next.

Mr. Lowell presented a report adverse to House bill No. 37, to prohibit the sale of produce between the hours of 6 P. M. and 5:30 A. M. The report was adopted.

Mr. Demas gave notice of his intention at some future time to introduce several bills.

After which the House adjourned till Monday at twelve o'clock.

Bids for Assassination.

"The labor we delight in physics paying.' Acting upon that theory, the *Attakapas Sentinel*, the Brashear *News* and the Alexandria *Caucasian* publish a letter from Houston which contains a puff for a real estate lottery. The writer gets in his work of advertising gratuitously in the White League organs by skillfully appealing to the heart of "the people" of Louisiana. The letter has the following sweet morsel:

Every country has had its patriot to rise up with a heaven-strengthened arm and strike down the tyrant oppressing it. To kill in self-protection is justifiable always. To rid the earth of such a monster as Sheridan would be a deed for all the world to applaud. We don't mean for a midnight masked assassin to murder him, but for the people of New Orleans, of Louisiana, rising in the majesty of their might, to slay him on the streets as they would a rabid dog, in the broad open day, with the sunlight of God's heaven shining down upon the act, and growing brighter in approval.

Such stuff is the key to trade in Louisiana. Let any vinigar bitters man or drummer come here with his mouth full of assassination and unfortunately he has open sesame to a vicious press and deluded public. The commercial traveler is not slow to take advantage of such prejudices and work them for his benefit. He will even make speeches at hotels, denouncing the government he fought for if he can thereby sell a bill of goods by the sample he always has in his carpet-bag. The same drummer returns to his Northern or Western house in "God's country," and is considered a commercial success, saying by way of apology for his questionable conduct, "When we are in Rome, you know, we must do as the Romans do."

The time will come when "our people" will not take such fighting talk as a compliment. Romans who howl in the arena were not the right sort of Romans to build up the commerce of a country. We should aspire to a higher civilization, and then Mr. Drummer or Mr. Vinegar Bitters will have a different speech and better letters for us, and the State will be better for it.

IMPROVED REAL ESTATEAT AUCTION BY THE SHERIFF.—We are requested to call attention of the public to the sales at auction, to be made this day, at noon, at the Merchants and Auctioneers' Exchange, Royal street, by the civil sheriff of the parish of Orleans. Said sales comprise:

1. A certain lot or portion of ground, with the buildings and improvements theron, in the First District of this city, fronting on Union street, between Baronne and Philippa streets.
2. A certain half or portion of ground, with the buildings and improvements thereon, in the Second District of this city, consisting of a brick slated dwelling and dependencies, bearing the No. 93 St. Peter street, between Bourbon and Dauphine streets.
3. A certain portion of ground, in the Third District of this city, fronting on Craps (or Burgundy) street, between St. Anthony and History (or Kerlerec) streets.
4. Two lots of ground, with the buildings and improvements thereon, in the Third District of this city, fronting on Lepage street.
5. Certain notes and other assets, as per inventory on file in the sheriff's office.

For full particulars and terms see advertisements.

STOCK AND BILLS RECEIVABLE AT AUCTION.—Messrs. Nash & Hodgson, auctioneers, sell Louisiana Jockey Club stock and bills receivable at twelve o'clock M. this day, at the St. Charles Auction Exchange; succession of J. M. Isaacks. See the advertisement.

OFFICE FURNITURE.—A large lot of standing and sitting desks, office armoir, chairs, presses, etc., to be sold this day at eleven o'clock, at No. 80 Camp street, by Messrs. Montgomery.

The *Son of the Soil* is the name of a new paper just established in this city by Mr. E. K. Manard and Mrs. E. Burke Collins, as a representative of the Grange interest.

The Revised Civil Code, completed up to and including the session of 1874, has been published, and is for sale by B. Bloomfield & Co., No. 47 Chartres street.

A capital thing,
A capital thing,
Is a $20,000 prize.
Is a $20,000 prize.
Do you want it?
Do you want it?
Then purchase a ticket in the great single number drawing of February 6, when $75,000 will be given away in 440 prizes.

A boy was told that if he ate lunch he would spoil his appetite for dinner. The youth decided that he had rather have a good luncheon than a good appetite.

COURT RECORD.

FRIDAY, JANUARY 29, 1875.

United States Circuit Court.

In the suit of the Western Union Telegraph Company vs. the Southern and Atlantic Telegraph Company, the motion of plaintiff was overruled, with the privilege of renewing it on the final hearing of the bill.

The court adjourned to-day. Judge Woods proceeds to Austin, Texas, to hold a term of court. No special day is announced for his return, and the reopening of the court here, except as provided by law.

Superior District Court.

PETITION.

The petition of the Teutonia Insurance Company, incorporated under the laws of the State and domiciled in New Orleans, appearing by its vice president and acting president, Charles Engsfeld, represents that in accordance with its charter, said company has been for some time and is now engaged in the business of insuring houses, furniture and other property in the city of New Orleans from loss or damage by fire, and has taken and now has many risks of that kind; for the past four years petitioner has been in the habit of using, by its officers, agents and employes, at its own expense, certain small machines known as Babcock's fire extinguisher, each one of which can be used by one man, and is carried about on the back of one man, and several of which are carried in a cart or wagon, for the purpose of extinguishing fires originating in or threatening the destruction or damage of property insured by petitioner, said machines being patented under the laws of the United States; and the use of these machines has been very effective in saving great losses to petitioner, and until a very recent period they have been used by petitioner without any opposition or objection from any one; that at its own expense, petitioner about about one year since purchased a larger size of said machine called Babcock's fire extinguisher, a very effective instrument for the quick and early suppression of fires, and has had the same in use ever since with great effect for good, and until a very recent period without opposition or objection from any one; that the great end subserved by these machines in the interest of petitioner is that they are very easily handled, are ready for service without a moment's preparation, and enable in many cases the employes of petitioner, who are few in number, to thoroughly extinguish a fire before the ordinary fire apparatus provided by the city government can be brought upon the scene of conflagration and put to work; petitioner further avers that it has not and does not pretend to assume to itself the right to run these extinguishers and work them at all fires that may occur in the city of New Orleans, but avers that it has a right to take them to and use them for the protection of such property in said city which may be covered by policies of insurance issued by petitioner; that in such property petitioner has a quasi ownership, and an interest to protect the same from loss, damage or destruction by fire, and consequently the right to lawfully use any means within its power for such purpose, and that no person has the power in law to prevent petitioner from using said extinguisher as aforesaid.

Now petitioner shows that by ordinance No. 1210, Administration series, of the city of New Orleans, being "an ordinance concerning the fire department," adopted in 1871, the city of New Orleans entered into a contract with the Firemen's Charitable Association, a corporation created by law, domiciled in this parish, for the extinguishment of fires in the First, Second, Third and Fourth Districts of this city, which said ordinance provides the various rules and regulations sought to be enforced by the city of New Orleans concerning fires and the government and direction of the fire department and the Firemen's Charitable Association; that for nearly a year past, by the express consent of the proper authority of said Firemen's Charitable Association, and until a very recent date, the officers and members of said association have co-operated with petitioner in the use of said larger Babcock fire extinguisher, and have successfully used one furnished to them by petitioner and others: that all the expenses of the use of all of said extinguishers have been borne by petitioner, and will continue to be so borne, and petitioner has never asked and never intends to ask any person or corporation to bear any expense attending the use of said machines.

But on or about January 26, 1875, said Firemen's Charitable Association, by its board of directors, or delegates, the members of said board being actuated by malice toward your petitioner, and with the intention of injuring petitioner, and to deprive petitioner of its natural right to protect property covered by its policies of insurance from loss, damage and destruction by fire, and to prevent petitioner from using its said extinguishers as aforesaid, did wrongfully and illegally pass and adopt the following resolution:

Resolved, That the chief engineer of the department, Thomas O'Connor, be instructed to prevent the Babcock engines from running to fires, and if they persist to send them and the men working them to prison.

That subsequently a fire occurred in New Orleans on said twenty-sixth of January, 1875, or thereabouts, in certain premises situated on First street, between Willow and Clara streets, and occupied by Joseph Weiss and Mrs. Shaffer, which premises and the property therein were covered by policies of insurance issued by petitioner; that thereupon certain employes of petitioner, named A. Kalinski, John Garvey, John Lowery and M. Cashen, proceeded to said fire with a certain number of said extinguishers, herein designated as the small or hand machines, each operated by one man, and arriving there some time before the appearance of the fire department proceeded to use said machines for the extinguishment of said fire and were working with marked success and without impeding in any way the work of the fire department or infringing in any way on the powers delegated to its officers and members, when they were interrupted by said chief engineer and at his request and direction were arrested with their machines by certain officers of the Metropolitan Police force and sent to the lockup of the Fourth Municipal Police Court, where charges were preferred against them of violating said city ordinance No. 1210 by said Chief Engineer O'Connor, which they were bound over to answer by the judge of said municipal police court.

Now, petitioner avers that it has sustained great damage by said action of said Chief Engineer O'Connor, said Metropolitan Police force and said Firemen's Charitable Association, and in the full sum of $1000, for which said chief engineer and said association are liable in solido to petitioner; and petitioner further avers that said parties threaten to and intend to further carry out said resolution, and to prevent petitioner from using its said extinguishers, and that such action will cause irreparable loss and injury to petitioner, and that a writ of injunction is necessary to protect petitioner's rights in the premises.

Petitioners further show that it is pretended by said chief engineer and said association, that said association has the exclusive right to extinguish fires, under said ordinance, within the city of New Orleans, inasmuch as section twenty-four of said ordinance provides "that no association, or organized society or club of firemen shall be allowed, except as authorized by said ordinance," but said section has no reference to this petitioner, which does not pretend to be a fire company of any kind, but only demands to exercise its right to protect its own property or that in which it is interested, and in no manner pretends to interfere with or obstruct the said Firemen's Charitable Association, its officers or employes, and has never done so, but, on the contrary, has always been ready and willing to obey any lawful demands from said officers.

Petitioner shows that the working by it of its extinguishers has never heretofore and never will interfere or impede the operations of the officers and men of said Firemen's Charitable Association, but, on the contrary, greatly assisted said operations, and contributed largely to save great losses to petitioner, and has been very useful to petitioner, is rendering more effective the operations of its employes for its self-protection.

Petitioner further shows that if said ordinance conferred the exclusive right on said association to extinguish fires in the said districts of this city, which is specially denied them, that such conferring was and is illegal, null and void, because the government of the city had no power to confer such exclusive right under its charter, and it would be repugnant to all the principles of common law and common right, and subversive of the same.

Wherefore petitioner prays the annexed bond and affidavit considered, that a writ of injunction do issue herein, directed to said Firemen's Charitable Association, said Thomas O'Connor, chief engineer, and to the Board of Metropolitan Police, enjoining and restraining them from carrying into force the said resolution of said association hereinabove set forth; and that said Chief Engineer Thomas O'Connor and said Board of Metropolitan Police and its officers be further enjoined and restrained from arresting and imprisoning any of petitioner's employes for lawfully using said Babcock's fire extinguishers at fires in the city of New Orleans, and from interfering with said employes of petitioner while using said extinguishers as long as said employes do not interfere with or impede the actions of the officers and members of the fire department, and petitioner prays that said Firemen's Charitable Association, through its president, I. N. Marks, Esq., and said O'Connor be cited to appear and answer this petition, and that after due proceedings said injunction be made perpetual, and said association and said O'Connor be condemned in solido to pay petitioner said sum of $1000 and costs and general relief. Injunction issued as prayed for on bond of $1000.

First District Court.

INFORMATIONS FILED.

Wounding less than mayhem—John Malone, G. L. Lambert et al.

Larceny and knowingly receiving stolen goods—Martin Livingston and Joseph Landry.

NOLLE PROSEQUI.

Larceny—Fred. Happich.

PLEADED NOT GUILTY.

Entering a dwelling house in night time, without breading, with intent to steal—Sophia and Julia Edwards; remanded.

NEW TRIALS.

Larceny—Margaret Russell. The district attorney is ordered to show cause, February 6, why a new trial should not be granted. Fred Happish—Order for new trial made absolute.

SENTENCES.

Assault and battery—Richard Bell, one month Parish Prison and costs.

Trespass and malicious mischief—Richard Murray, one month Parish Prison and costs.

Second District Court.

The succession of Adam Leche was opened.

A Letter from Mr. Oglesby.

The St. Louis *Globe* says: "The following letter to a St. Louis merchant from Mr. J. H. Oglesby, formerly of this city, now a New Orleans banker, will be read with interest, in view of the unseemly attack made upon his character and reputation by the *Times*, of this city, because of statements made by him to the Louisiana investigating committee. The *Times*, it will be remembered, announced that Mr. Oglesby had been socially ostracised and financially ruined on account of his political opinions, and bestowed high praise upon those who had visited these punishments upon him:"

NEW ORLEANS, January, 22, 1875.

MY DEAR SIR—Your friendly lines of the nineteenth, inclosing the slip from one of your city papers, is this day to hand and carefully observed. To say I am surprised at the publication, would but faintly express my feelings. Let me say to you, and other good friends in St. Louis, there is no foundation in fact for the statements made, and I incline to think pure malice is at the bottom.

My term of office as president of the Chamber of Commerce expired on the seventh of December last, when I formally took leave of the Chamber as its presiding officer, having served out my third term, intimating my purpose not to accept a nomination for re-election. This determination I adhered to, notwithstanding efforts were made to induce me to change my purpose.

I am glad to be able to say to you that the bank I control lost but one depositor, and that a very small one. For the past week deposits have steadily increased, and are larger to-day than one week ago.

I flatter myself that I have not, to my knowledge, lost one personal friend whose esteem or friendship is worth having.

In conclusion, permit me to say, I gave no testimony in behalf of the Kellogg government, or any other. What I said was not correctly reported in our papers, and expressions I have no recollection of using were imputed to me. This I corrected. I only answered the questions asked me, as I felt justified in doing from my standpoint of knowledge. They were my opinions and views, and given without any political significance whatever. I take no part in politics: have no personal or social relations with partisans; seldom express opinions: I dont pretend to understand the "Louisiana question;" don't believe anyone does.

My health did not give way under the shock, as is stated; neither have I been at the point of death. Before I knew anything of the excitement certain interested parties tried to fan into a flame, I was suddenly, Sunday, the third, attacked with a congestion of the liver and stomach, and for several days suffered severely; but at no time in danger, and, except for two days, was able to attend to my duties. I am now fully recovered. The various operations I control move on as usual, and I feel satisfied time will remove any wrong impressions that may now exist.

Yours truly, J. H. OGLESBY.

Arrest of the Clinton Murderers.

The Clinton *Patriot-Democrat* gives the following particulars concerning the detection and arrest of the persons who murdered Mr. J. W. Clinton, near Sandy Run, St. Helena parish, December 18, 1874:

Isham Brown, a negro, the murderer of Mr. J. W. Clinton, was captured on Bayou Fordouche, in the parish of Pointe Coupee, at 4 P. M. on the sixth of January of the present year, and was taken to the city of New Orleans on board the steamer La Belle and lodged in the Parish Prison on the seventh. The murder was committed between Clinton and Greensburg, on the eighteenth of December. The gold watch owned by Mr. Clinton, and upon his person at the time of the murder, was traced up and found in the hands of one John Davis Brown, a negro, and the brother of the murderer.

This Brown resides three miles from Covington, St. Tammany parish. The watch was found on the thirteenth of January, and the horse the murderer rode when the deed [illegible] and took possession of on the nineteenth, [illegible] miles from Amite City, in Tangipahoa parish, all by Captain Bannon.

The pistol the murder was committed with was found by Captain Bannon in the house of the murderer at the time he made the arrest.

More money, better chances,
More money, better chances,
In drawing February 6,
In drawing February 6,
Louisiana State Lottery,
Louisiana State Lottery,
Capital prize $20,000.
Capital prize $20,000.
$75,000 in prizes.
$75,000 in prizes.

BY TELEGRAPH.

WASHINGTON.

A Memorial from Georgia.

WASHINGTON, January 29.—Mr. Frelinghuysen presented a memorial of citizens of Georgia asking an appropriation by Congress to aid the colored people who wish to emigrate to Liberia. Referred to the Committee on Appropriations.

Senate Caucus.

The Senate caucussed this morning over Louisiana. No result. They meet again this evening. Proceedings discordant.

The Southern Pacific.

The Railroad Committee of the Senate had no quorum. It meets on Monday, when it is expected they will report favorably on Scott's road.

How the Committee Stands.

Mr. Wadleigh, member of the Committee on Elections and Privileges, has returned. He will vote with the minority, making a tie. Mr. Carpenter will vote with the minority, so there will be two reports, the majority being against the indirect acknowledgement of Kellogg and seating Pinchback.

The Five Per Cent Loan.

The Treasury Department has renewed the contract with the parties who took the last subscription to the five per cent loan. They take $25,000,000, wish the option of six months for the remainder.

The Incendiaries.

The theory is entertained by the detectives and others that the parties who have been persistently attempting to fire the Navy Department are persons interested in the destruction of valuable records. No arrests have yet been made.

The Texas Pacific.

The Texas Pacific railroad project is obstructed by the pressure of business in both houses. In the Senate Committee on Railroads the chairman of the sub-committee is endeavoring to secure final action. It seems the delay has arisen from the proposition of Colonel McComb, of the Jackson road, to have the Louisiana extension cross the river at Baton Rouge and pay tribute to his road at Ponchatoula.

Senator West scouts this idea as preposterous, and declines to realize the propriety of having a road that has crossed the continent for 2000 miles on a gauge of four feet eight inches dumped into a five foot gauge road, involving transhipment within sixty miles of New Orleans, and charged with the expense of an unnecessary transit of the river.

The danger to the bill lies in its being incumbered with this and other jobs.

Senator West insists upon making it the simplest highway possible from the Atlantic to the Pacific. The matter comes up again in committee February 1.

To be Reimbursed.

WASHINGTON, January 29.—The Committee on Ways and Means agreed upon the bill to reimburse Brannin, Summers & Co. for overcharges on imported sugar, some $60,000.

Another Incendiary Fire in the Navy Department.

Another incendiary fire which occurred in the navy department was extinguished without loss except that of several logs. There have been three attempts to burn the navy department this week. There is much apprehension, as none of the buildings where the records are kept, except the postoffice, patent office, treasury and Capitol, are fire proof.

Major Richards, chief of police, and Admiral Reynolds are in consultation over the matter to night.

The Caucus.

The caucus failed to meet this evening, on account of the prolonged session of the Senate.

The *Star* says of this morning's caucus: "The discussion developed a lack of harmony among the Senators as to the course which should be pursued relative to the present State government of Louisiana, and it may now be predicted, with tolerable certainty, that a majority will not be obtained in the Senate to recognize said government as the legal government of the State."

How the House Adjourned.

The House adjourned on motion of Mr. Ward (Republican), of Illinois. Nineteen Republicans joined the Democrats. This result was obtained by the fear that the Democrats would demand the reading of the journal, which as it stands would consume twelve hours. Under the new rule, the proposed vote may be reached on Wednesday on the civil rights bill. The Democrats claim they have not exhausted their tactics for delay. It may be stated there is no intention to pass the bill. The exclusion of mixed schools and the cemetery clause would defeat it in the Senate. The bill is dead for the session.

Internal Water Routes.

A voluminous report from the Secretary of War upon the various internal water routes was referred to the Committee on Transportation.

Improving the Ohio.

The citizens of Pittsburg petition for an appropriation for the improvement of the Ohio river, and subsidies for the Northern and Southern Pacific railroads.

The Louisiana Debate.

Mr. Conkling and General Gordon spoke on Louisiana affairs.

POLITICAL.

Wisconsin.

MADISON, January 29.—The Senatorial vote stands: Carpenter 60, Bragg 52, scattering 19.

West Virginia.

CHARLESTOWN, W. Va., January 29.—The Democratic caucus ballot resulted: Camden 27, Walker 21, Brannon 14, others scattering. The friends of the leading candidate are firm.

Minnesota.

ST. PAUL, January 29.—For United States Senator—Ramsay 47, Lochren 55, Davis 23. Result mixed.

Florida.

TALLAHASSEE, January 29.—In the balloting for United States Senator there were four impotent ballots. Call received 34 votes.

FOREIGN.

In the French Assembly.

PARIS, January 29.—The motion for the withdrawal of all constitutional bills was defeated. A motion is pending that the government shall consist of Senate, Chamber of Deputies and President of the republic. Louis Blanc opposed the creation of a presidency, which had been fatal to the republic in 1848. The vote will be taken to-day.

The bill providing that a Senate, Chamber of Deputies and President should compose the government of France was defeated by a vote of 335 yeas to 359 nays.

The bill that the legislative power be exercised by the Senate and Chamber of Deputies, the latter elective by the people, passed.

Universal suffrage passed.

Marine.

ST. THOMAS, January 29.—The Queenstown, from New Orleans, is here leaking.

The bark Award was abandoned. Five of the crew have landed at Falmouth.

Another Fight Expected.

[illegible], January 29.—The army of the North is [illegible] Carlists. A general attack is expected to-morrow.

The Queen Summons the Ministry.

LONDON, January 29.—The Queen has summoned an immediate attendance of the cabinet ministers to Osborn.

MISCELLANEOUS.

Damaged by the Ice.

CINCINNATI, January 28.—About 1 P. M. the ice gorge in the river below the city gave way, and all the afternoon and evening considerable heavy ice has been pass-

[CONTINUED ON FOURTH PAGE.]