New Orleans Republican.
OFFICIAL JOURNAL OF THE UNITED STATES
OFFICIAL JOURNAL OF NEW ORLEANS

AUCTION SALES THIS DAY.

BY PLACIDE J. SPEAR, at 12 o'clock, at the Merchants and Auctioneers' Exchange, a lot with buildings, corner of St. Ann and Derbigny streets.

# Local Intelligence.

BURGLARS TAKING A CUP OF COFFEE.—Monday night two or more burglars entered the store of Messrs. B. C. Flasballer & Co., Nos. 84 and 86 Tchoupitoulas street, by climbing an awning post and opening a second story window, and once inside there was no trouble in descending to the ground floor. They piled up a dozen sacks of coffee near the front door, as if they were prepared with a wagon to haul it away, and they managed to take a portion of it off. The private watchman for the stores says he saw nothing of the burglars, or a wagon or a cab.

BRIEF MENTION.—Two lads, Thomas Waters and Franklin Desepat, stole newspapers from C. C. Haley, Commercial alley, and that is the reason of their being found secreted in the first calabose.

The dead body of a man five feet seven inches high was yesterday found in the river at the head of First street. The coat was gray, pantaloons dark and shoes of ordinary make. Nothing was found on the corpse to indicate who he was.

The steamboat Grand Republic had on board 6300 bales of cotton and 14,000 sacks of seed when she left Natchez, and if she arrives all safe and sound will deliver the largest load of the staple ever landed by one steamer.

Georgiana Washington is a wayward girl, and prefers to trot her own gait, even when Samuel, her father, directs her to remain at home and be a good girl. The lass was so bad that her Algerine parent sent her to prison.

C. W. May was charged with having stolen a sloop, and a search warrant found it in his vest pocket. Poor old Jo Bowers is the complainant, and he stood at the Third District ferry landing until the right Bower turned up for a jack of clubs to scoop in.

All interested in city affairs can find the City Council proceedings in to-day's REPUBLICAN.

Oranges are so plentiful and cheap that the poorer qualities are hawked about the streets in wagons at five cents per dozen.

The St. Charles Hotel rotunda wore a deserted look yesterday, the principal reason being that most of the visiting politicians and patriots have departed.

Although the genus tramp does not trouble our people to any great known extent, there is a regular regiment of them. On cold nights the members assemble at the several police stations for lodging, which is all they receive. Before entering the little rooms provided for them they are as humble as mud pie, but once out of ear shot of the clerk or turnkey they use terrible language and abuse each other like pickpockets, as doubtless some of them are.

FIRE IN A BARK'S HOLD.—A few minutes after eight o'clock last evening fire was discovered in the hold of the American bark Manhegan, Captain Luce, lying at the head of Henderson street, for which an alarm was sounded. The bark is loading with cotton for Havre, and is insured in a Liverpool office. Water was quickly put into the hold and all signs of fire and smoke disappeared, but the master expressed a belief that the flames would break out again, as he felt positive that fire lingered in some of the bales.

### A Few Plain Words.

We occasionally hear of an excitable Democrat here in the North who mutters threats of what may happen if matters do not eventually go to his liking, and who "feels in his heart that Tilden is elected." It would be well for the Democratic party if such persons would for the present keep silence. The country does not forget that in 1860 similar threats were made by Democrats, and that in 1861 the greater part of that party attempted in a violent manner to overturn the result of a fair election. Nothing can be more damaging to the Democratic party, or can more quickly deprive it of all public sympathy than the utterance of foolish and perfectly vain threats. The country is not just now in a temper to bear with such things. The election is not yet lawfully decided; it will not be until the Returning Boards in the disputed States have done what the laws in those States command them to do. It will take some time to complete the investigations prescribed by the laws; and what, in the meantime, any one may "feel in his heart," is not evidence and is of no importance. Measures have been taken to see that the Returning Boards conduct their investigations fairly. In New Orleans leading Democrats have invited leading Republicans to a council for joint action, which is eminently proper, and at this stage of the business no one has a right to say that foul play will be successful or even attempted.

Moreover, if the laws and the men who execute them are bad in such States as Louisiana, we beg the Democrats down there to modestly remember how they became so. If they had accepted their defeat in 1861 in good faith they would not be where they are now. We do not countenance injustice, nor does the North desire it. The recent elections should show the Southern whites how little the North sympathizes with wrong-doing in the South and against the South. Thousands of life-long Republicans here have voted against their party on this Southern question alone. We warn the Southern whites that they will be sorry in the end for any course which shall make these Republicans regret their votes. The laws as they exist must be faithfully executed and scrupulously obeyed until they are lawfully changed. That is the sound and only rule in a free country.—*New York Herald.*

### They Mean to Stay.

The Jacksonville, Florida, *Union* of the eleventh instant, says:

We Republicans of Florida know that we have carried the State fairly and squarely. We have a majority sufficient to polite the election beyond the shadow of a doubt. We have used no means but fair ones, we have polled no votes but honest ones, we have committed no frauds, made no false counts, beaten you fairly and squarely, and we intend to "Hold the Fort!" Our principles baptized in blood and suffering, consecrated by the tears of millions, and now blessed with the grateful prayers of a free and happy people, are too precious to be cast aside before the angry clamor of a baffled and beaten foe. We ask nothing but what is right, we demand nothing but what is just, and, knowing that our cause is right and just, we repeat that we intend to "Hold the Fort."

Be warned in time.
Be warned in time.
Be warned in time.
December 4 is the lucky day.
December 4 is the lucky day.
December 4 is the lucky day.
Grand Extra Drawing
Grand Extra Drawing
Louisiana State Lottery Company.
Louisiana State Lottery Company.

## COURT RECORD.

TUESDAY, NOVEMBER 21, 1876.

**United States Circuit Court.**

Present—Hon. E. C. Billings, district judge.

William W. Johnson et a vs. Scherck & Berksen.—Injunction against using trade mark of Pike's Magnolia whisky issued pendente lite against Tyra Hill.

**Supreme Court.**

The following members of the bar are constituted the committee of examination for the present term: Edward Bermudez, chairman; Henry J. Leovy, Guy Duplantier, John H New, Alfred Grima, E. Howard Farrar, Thomas Gilmore.

The following opinion was rendered:

BY JUSTICE LEONARD.

State ex rel. Mathieu Roques vs. William Fagin, criminal sheriff.—The relator being in custody, prays to be discharged by this court, on a writ of habeas corpus, alleging that he has been illegally imprisoned for contempt by the judge of the Superior District Court, at the instance of one Charles Lange.

It seems that Lange obtained from the Superior District Court an order of injunction against Roques, alleging that the latter was conducting a private market, to plaintiff's detriment; that such conduct on the part of Lange was illegal, and caused plaintiff an irreparable injury. The judge ordered an injunction to issue upon plaintiff's giving bond in the sum of $2000. Roques disobeyed the injunction and was imprisoned in consequence.

The first question that arises is, has this court jurisdiction to grant a habeas corpus in such a case? Article seventy-four of the constitution of 1868 declares that the Supreme Court shall have appellate jurisdiction only, "except in the cases hereinafter mentioned." Article seventy-seven declares that the Supreme Court and each of the judges thereof shall have power to issue writs of habeas corpus in cases in which they may have appellate jurisdiction. This article of the present constitution is identical with article sixty-seven of the constitution of 1845 and article sixty-nine of the constitution of 1869. In the cases of *ex parte* Mitchell, 1 A., 43, and State ex rel. Cook, or Keeper vs. Parish Prison, 15 A., 347, it was so described in the language of Voorhies, J., who delivered the opinion of the court in the latter cases, that "in matters of habeas corpus the jurisdiction of the Supreme Court is original, and not appellate."

Is the present case one in which we may have appellate jurisdiction? We think it is. The amount involved is not merely the $500 damages claimed by plaintiff, but the interest of defendant in his present business, which largely exceeds $500, as shown by his affidavit. We therefore have jurisdiction by original proceeding, which the matter before us manifestly is (as no judgment of the lower court is appealed from), to inquire into the rightfulness of Roque's imprisonment.

It is admitted by counsel for Roques that we can not afford relief if the lower court had jurisdiction to grant the injunction. The Superior District Court is vested by the statute creating it with power of injunction. Article 269 of the Code of Practice declares that "injunction is a mandate obtained from a court by a plaintiff prohibiting one from doing an act which he concludes may be injurious to him or may impair a right which he claims." Lange swears that Roques is injuring him and impairing his rights. Whether the particular act which causes such injury or impairment is sufficient to authorize an injunction is for the judge when application is made for the order, to determine. And whether, also, the injunction in the present instance is well founded or not is to be determined on the trial thereof in the lower court, and afterwards on appeal. If the order was improperly granted Roques will have his remedy for damages on the bond. But he can not disobey the injunction with impunity while it is still in force. We do not wish to be understood as saying that Roques has no remedy if he has suffered an injury at the hands of the lower court, but it is manifest that he can not be relieved in the present proceeding.

It is therefore ordered that the rule for a habeas corpus be discharged at the cost of the relator, and that he be remanded to prison.

Morgan, J. Passing over the question of the jurisdiction of this court upon which it is not necessary for me to express an opinion, I agree with the majority that the Superior District Court has jurisdiction over the case out of which the proceeding now before us grew, and I therefore concur in the decree.

Howell, J., took no part in the decision of the case.

**Superior District Court.**

M. Lannes vs. B. Barthe.—Private markets (Magazine). Attachment issued for Barthe.

Louis Balles vs. Louis Eris.—Same (Treme). Attachment issued for Desiree Gregoire.

Guiliaume Soules vs. B. Barres.—Same (French). Attachment issued for A. Bodan.

Pierre Lannes vs. Workingmen's Bank.—Injunction against sale of certain property made perpetual.

State ex rel. Daniel Shay vs. Mechanics No. 6.—Relator alleges that under act No. 50 of March 24, 1837, he is entitled to privileges of honorable discharge, being placed on exempt roll, etc; that he was on said roll, but was unlawfully removed October 6, 1874, and prays for a mandamus to be restored to his rights. Cause to be shown November 24.

State ex rel. F. H. Vernado vs. George B. Johnson.—Relator alleges that he purchased, January 15, 1876, of J. B. Caron, tax collector, certain property, and the Auditor, though the time of exemption has expired, refuses to give a deed, and asks a mandamus to compel him. Rule nisi issued for November 28.

**Superior Criminal Court.**

DEMURRER AMENDED.

State vs. Pat Creagh, refusing Michael Casey registration.—The amendment to the demurrer to quash the indictment sets forth:

1. The indictment is vague and insufficient in this: It does not set forth specifically and sufficiently said Michael Casey's right to vote or register, and when or whereof that right consisted and was acquired.

2. This court is without jurisdiction in this: The offense charged, if an offense at all, is a violation of and punishable by sections 5506, 5512 and 5513 of the United States Revised Statutes, and is within the exclusive jurisdiction of the United States courts.

3. That section thirty-one of act No. 155 of acts of 1874 is unconstitutional and void in this: It is in glaring violation of articles 8, 10, 102 and 114 of the State contitution.

MOTIONS.

Grand larceny—Joe Albo, alias Alebau, convicted November 2. Motion for new trial refused.

Robbery—Mollie Robinson and Marie Davis, convicted October 6. Motion for new trial refused.

CONVICTED.

Grand larceny—George Hardy, charged with picking the pocket of Mrs. Marie Scholl on the first of June at a funeral on Magazine, near Robin street, of a pocketbook, containing $200 and a promissory note for $1400. Recomended to the mercy of the court.

**First District Court.**

INFORMATIONS.

Obtaining money, etc—Peter Goldstein, W. N. Hawkins, J. H. James.

ACQUITTED.

Christ Berger, of assault and battery.

SENTENCED.

William Seddon, for petty larceny, one day.

**Second District Court.**

Successions of J. Schapire, Alexis J. Tumoine, Charles Courtney, G. L. C. Davis, Sr., and Joseph Armbruster opened.

Now or never.
Now or never.
Fortune don't wait.
Fortune don't wait.
Tickets only $20 in the Extra Drawing
Tickets only $20 in the Extra Drawing
Tickets only $20 in the Extra Drawing
Can win $50 000.
Can win $50,000.
Can win $50,000.

**The Psalmist says, "Why do the heathen rage, and the people imagine a vain thing?"**

## DEMOCRATIC METHODS IN NORTH CAROLINA.

**Letter from General Kilpatrick.**

General Judson Kilpatrick writes as follows to the New York *Times*, under date of November 9:

"North Carolina has gone overwhelmingly Democratic." I suppose this statement is almost as familiar to you now as it has become to me within the past few days. I admit that this State is not to be counted as in favor of the Republican nominess, but believe that the Democratic candidates may not ultimately have that large majority of the votes which is now claimed for them by their supporters. Counties in the northwest, northeast and south are yet to be heard from, and their returns will, it is hoped greatly diminish the advantage of our opponents. Yet, I shall not be surprised if the majority claimed be increased instead of diminished. I can see no reason why it should not be multiplied five-fold; if the elections were conducted in the counties whose returns are not in, as they were in the other parts of the State. What I saw on Tuesday last, and what I have heard since, horrify me, and I know the recital of the facts must appal every true American citizen. Fraud, treachery and intimidation are the means by which this State has been carried against the Republican party, and these instruments were used by men of resolute will, who are not incumbered by a particle of conscience. The Republicans of North Carolina have never been well organized, else I might not now have such a story of shame to detail. They have not many leaders who, in intelligence, foresight and resolute will, can compete with the men who are at the head of the Democracy. They were deceived by the "still hunt" policy of their opponents, so that while the latter were preparing for the election of last Tuesday, they were idle. The result is known. When they went to the polls on election day they found those places in the possession of the Democracy, who were well-armed and determined to resist every endeavor to expel them. Even in thoroughly Republican counties was this plan of seizing the polls carried into effect by the Democrats. So thoroughly were their methods and organization, the Republicans could do nothing. The hypocrisy of the Tildenites was such that it almost surpasses belief, and it is certain that if any violent attempt to dislodge them had been made, the apparent blame of causing bloodshed would have fallen upon the Republicans. They desired, they said, to have a fair election, and would protect every citizen in his right to vote. The Republicans accepted their assurances, for two reasons—they could not on the instant cope with such thoroughly organized bands, and they did not at first penetrate the hypocrisy of their opponents. Well, the rebels—for such they are in spirit—kept guard over the polls. They admitted voters one by one, and whenever a Republican approached the ballot boxes challenged and harrassed him with questions. In this way they consumed time, and in every precinct so far heard from, when the sun went down it was found that numbers of Republicans had been challenged and talked out of their votes. As for themselves, the Tilden and Vance men voted early in order to have time to harrass their opponents; and the indications are that they also voted often.

Let me here state a fact which indicates the perpetration of shameless frauds by the successful party in this State. On the very night of the election, within two hours after the polls had been closed, apparently official reports were received at Raleigh that certain remote Democratic districts had given Tilden, and Vance, and the others on their tickets, large majorities, and also stating the figues of those majorities. Honest reports could not have reached here from those districts in much less time than two days. To-day the reports of Tuesday night have been verified (?) by dispatches from the districts in question. Now, what do these facts indicate, nay, prove, except that the Democratic committee of each county was directed to send in a certain majority agreed on beforehand? One county has given a Democratic majority of 1100. Previous to this time, that county has been Republican, and the majority for the Democrats now announced is greater than the greatest number of votes ever polled before.

I have hitherto been writing very generally of the methods of the Democrats, but will now relate a special instance. Colonel Young, whose home is about forty miles northeast of Raleigh, was a Republican candidato for Congress. When he arrived at the polling place in his town on the morning of Tuesday, he found that it was in the hands of Democrats, who had built a barricade around it, and stationed guards to repel any assault. Followed by some friends, he advanced to the entrance to the booth and asked permission to go in and act as challenger. He was met by five armed men, who styled themselves policemen, and who peremptorily refused to allow him to enter as a challenger. He then demanded to be permitted to vote. This permission was granted him. He entered the polling place, voted, and refused to leave. After considerable bluster the rebels determined to permit him to remain. He states that every negro that entered the polling-place was challenged and time was lost in discussing every case. Republican ballots were snatched from the hands of the colored men by the self constituted policemen, and Democratic tickets were given them in exchange; and long before the sun went down, the Democrats declared that the time for closing the poll had arrived. Over 100 negroes were then waiting to vote, and, if the poll was closed, would have been cheated of their rights. The wrongfulness of the attempt caused a violent discussion, and there might have been bloodshed over the matter, were it not for the sudden appearance of the sun, which came from behind a cloud, and lighted up with his golden rays, the raftered and ruinous old room in which the angry disputants were. This overcome the arguments of the Democrats and the voting went on; yet, when the polls did close, it was found that twenty-seven negroes had been disfranchised by the persistent challenging of the voters in advance of them, which kept them in line until after sundown. There are 1800 voting precincts in North Carolina. Now, if we assume, as we may fairly, that at least ten voters have been disfranchised in each district by the tactics of the Democrats, we find that in the entire State between 30,000 and 40,000 Republicans have been deprived of their right to vote. And thus has North Carolina been carried by the Democrats and lost to the Republicans. Thus has Old North State again been captured by the rebels. Rebels, I say advisedly. The state of feeling in North Carolina is to-day, and has been ever since the news reached Raleigh that Tilden had carried the country, that of 1860, just after Lincoln's election; and the white rebels of North Carolina stand ready to-day to respond to any call that may be made upon them for whatever treasonable purpose. In conclusion, I must say something of those people who will suffer most from the success of the Southern Democratic party. The condition and lot of the black man of North Carolina has been a hard one in the years that have passed since the rebellion. May God help them now!

JUDSON KILPATRICK.

### A Fruit Dealer's Troubles.

A staid-looking gentleman, apparently a stranger, stopped at an apple stand:

"What is the price of oranges?" he asked, pointing to a collection of large pears.

"Dees ees not de horange," said the polite vendor. "Dees ees de California paire. One for twenty-fi' cent."

"You don't mean to tell me," said the stranger, putting his hand upon an apple, "that this is a pear?"

"Pardo! No! I say dees ees de paire. Dees is de appel. Tree for de ten cent."

"Well, I must say," continued the stranger, picking up a handful of chestnuts and examining them critically, "that these are the queerest apples I ever saw."

"Oh, Mon Dieu! no! Dem ees de cheseynut, what grow in your own countree. You roast theem en de fire."

"Roast them in the fire! Well, upon my word," fingering a bunch of bananas curiously; "I don't see how such chestnuts as these can be improved by roasting. They seem to be soft enough now. However, I am much obliged. I'll see you later. Good day," and the stranger passed up the street.

"Gentlemen," said the fruit dealer, turning in an appealing manner to the crowd that had gathered, "dat man is one escape fool from de penitentiary."—*Atlanta Constitution.*

### Electing a President.

Says the Philadelphia *Press:*

With all honor to the foresight of the fathers, the election of a President by the House of Representatives under the present circumstances is a forcible illustration of how the very object for which they sought can fail. It would seem as if the system had been devised as a constitutional way to defeat the will of the people. As the majority of a delegation would cast the vote of the State they represent the following in the present attitude of parties would be the result. These in italics in the first column have just given popular majorities for Hayes, while New York has declared for Tilden:

| FOR TILDEN. | FOR HAYES. |
|---|---|
| Alabama, | Florida, |
| Arkansas, | Iowa, |
| *California,* | Kansas, |
| Connecticut, | Maine, |
| Delaware, | Massachusetts, |
| Georgia, | Michigan, |
| *Illinois,* | Minnesota, |
| Indiana, | Nebraska, |
| Kentucky, | Nevada, |
| Maryland, | *New York,* |
| Mississippi, | Rhode Island, |
| Missouri, | South Carolina, |
| *New Hampshire,* | Vermont, |
| New Jersey, | Wisconsin, |
| North Carolina, | Colorado—15. |
| *Oregon,* | |
| *Ohio,* | |
| *Pennsylvania,* | |
| Tennessee, | |
| Texas, | |
| Virginia, | |
| West Virginia—22. | |

According to the results of the late elections the relative votes by States would be—Hayes 21, Tilden 17, Louisiana being counted in the first column. Congress is required to be in session on the second Wednesday in February succeeding every meeting of the electors, and the certificates, or as many of them as have been received, must then be opened, the votes counted and the persons to fill the offices of President and Vice President ascertained and declared agreeably to the constitution. In the contingency of the office of President and Vice President both becoming vacant through any circumstance whatever, the President of the Senate, or if there be none, the Speaker of the House of Representatives for the time being would act as President until the disability be removed or a President is elected. In the event of a new election, under present circumstances, at least one one year would be required to bring it about. Whenever the offices of President and Vice President both become vacant, the Secretary of State shall forthwith cause a notification thereof to be made to the executive of each State, and shall also cause the same to be published in at least one of the newspapers printed in each State. The notification shall specify that electors of a President and Vice President of the United States shall be appointed or chosen in the several States, as follows: First, if there shall be the space of two months yet to ensue between the date of such notification and the first Wednesday in December then next ensuing, such notification shall specify that the electors shall be appointed or chosen within thirty-four days preceding such first Wednesday in December; second, if there shall not be the space of two months between the date of such notification and such first Wednesday in December, and if the term for which the President and Vice President last in office were elected will not expire on the third of March next ensuing, the notification shall specify that the electors shall be appointed or chosen within thirty-four days preceding the first Wednesday in December in the year next ensuing, but if there shall not be the space of two months between the date of such notification and the first Wednesday in December then next ensuing, and if the term for which the President and Vice President last in office were elected will expire on the third day of March next ensuing, the notification shall not specify that electors are to be appointed or chosen. Electors appointed or chosen upon the notification prescribed by the preceding section shall meet and give their votes upon the first Wednesday of December specified in the notification. The provisions relating to the quadrennial election of President and Vice President apply to election to fill vacancies.

### One of the Assistant Counters.

The Milwaukee (Wisconsin) *Sintinel* of Monday says: "The selection of Hon. George B. Smith, of this State, by the Democrats to assist in counting the vote of Louisiana is wholly admirable, and exhibits the organizing abilities of Governor Tilden in a brilliant light. As a counting person Mr. Smith has few equals in the country. In 1855 it was necessary to elect Barstow as Governor of Wisconsin. When the returns came in it was found that Barstow didn't have votes enough. Mr. Smith at once instituted proceedings to find enough. The wonder of Mr. Smith's achievement consists in the discovery of thousands of qualified voters at Bridge Creek. This place, Bridge Creek, was supposed to be a small village in Eau Claire country, containing perhaps 100 persons. It was regarded with such indifference that mapmakers ignored it; the citizens of Eau Claire sneered at it. The election returns, however, showed that Milwaukee was entitled to be called only the second city of Wisconsin. The majority given to Barstow by Bridge Creek amazed everybody and indicated nothing less than a mammoth city having a powerful proponsity to vote. The merchants of New York looked at the Bridge Creek returns and immediately ordered all their drummers to that populous city to work up trade. Of the history of Bridge Creek since the Supreme Court took hold of those returns we know nothing. It is possible there are cities in the far-off parishes of Louisiana never dreamed of at New Orleans. Bridge Creeks enough may exist to overcome the estimates of Republican majorities. We know of no one more capable of discovering such cities than Mr. Smith. In going to Louisiana the Democrats expect much of him, and he has a reputation as a discoverer of unknown voters to sustain. The eyes of Mr. Tilden's supporters everywhere are upon Mr. Smith.

### Seize the Pool Money.

The commissioners of charities and correction of the city of New York ought immediately to take measures to seize all the money now in the hands of pool-sellers. There are probably at least $2,500,000 locked up in the pool boxes of Morrissey's, Johnson's and other gambling houses, and an examination of the laws shows that any of the custodians of these funds can run away to another State with their fands and be exempt from legal prosecution. Indeed, some lawyers declare that they may stay in the city and appropriate all the funds to their own use without any responsibility. If the clerks were to steal the funds the pool purchasers would have no cause of action. Gamblers have no legal status except the right to be punished. Moreover, it is now understood that the pool-sellers, all of whom are Democrats, will decline to recognize the election of Hayes, and even if he is inaugurated will declare the bets "off," and will return the money if any of it should happen to be found by that time. In this state of things it is certainly the duty of the commissioners of charities to seize the money in the pools. The law entitles them to "apply for a receiver to take possession" of money which has been bet or risked in such gambling, and we trust there will be no hesitation to make hay while this sun shines. A hard winter is upon us. The poor will be more numerous in the city than perhaps ever before, and they will need all they can get. The controversy furnishes an excellent occasion to "spoil the Philistines" by seizing the funds in the hands of the men who do so much to multiply paupers and increase suffering. The sum of $2,500,000 divided among our secular charities would be a blessing to tens of thousands.—*New York Graphic.*

### Waiting for the Result.

The Burlington (Iowa) *Hawkeye* says: "When the agony is over what a tremendous lot of homeless men will be welcomed to the bosom of their families. There is one lone Burlington woman who hasn't seen her husband since Tuesday morning, and she sits all day long and dozes all night in a camp chair behind the hall door, taking her meals in her lap and holding a base ball club between her knees. Two reporters and a policeman, in ambush behind the brush fence, await the return of the prodigal with more emotion and anxiety than that absent man waits for the election returns."

## CITY COUNCIL—OFFICIAL

REGULAR MEETING.

CITY HALL, NEW ORLEANS,
Tuesday, November 21, 1876.

The Council met this day at twelve o'clock M., in regular session.

Present—Hon. Charles J. Leeds, Mayor, presiding, and Administrators Bertoli, Brown, Bouny, Landry and McCarthy.

The minutes of the previous meeting were approved and their reading dispensed with.

**Communications from the Mayor and Administrators.**

The following communications, laid before the Council by the Mayor, were read and ordered spread upon the minutes:

MAYORALTY OF NEW ORLEANS,
City Hall, November 21, 1876.

To the City Council of New Orleans:

I have the honor to report that, after conference with the City Attorney, and by direction of the committee of the whole, I have addressed to Governor William P. Kellogg the following communication, bearing upon the action of Charles H. Thompson, assessor of the Fourth District, in relation to the rolls of the first and second assessment districts. I also forward the return reply of Governor Kellogg.

CHARLES J. LEEDS, Mayor.

[Copy.]

MAYORALTY OF NEW ORLEANS,
City Hall, November 20, 1876.

To His Excellency William P. Kellogg, Governor of Louisiana:

I am directed by the City Council, sitting in committee of the whole, to call your attention to the condition of the assessment rolls for the year 1876, on which the State taxes for 1876, and the city taxes for 1877 for this city are to be levied.

The rolls for the Second Municipal District are not signed and sworn to in accordance with law, by all of the members of the board, and Mr. Thompson, assessor for the Fourth District, not only refuses to sign and swear to said rolls, but withdraws his signature and approval from the rolls of the First Municipal District, giving reasons therefor which he had previously communicated to you officially.

The City Council are required by their charter to adopt a budget of receipts and expenditures, and to levy a tax in the month of December of each year, which it will be almost impossible for them to do unless furnished by the Board of Assessors with proper rolls.

This board are State officers, and must be subject to your supervision and control.

The charges made by Mr. Thompson against the assessors of the First and Second Districts should be investigated, either judicially or otherwise, and if unfounded, Mr. Thompson should be compelled to perfect the rolls. If the charges are justified, there must certainly be a remedy within your hands.

The interest of the city is so great and immediate as to authorize the Council to hope that you will give this matter prompt attention and afford us any relief in your power.

An early answer will much oblige, very respectfully, your obedient servant,

CHARLES J. LEEDS, Mayor.

STATE OF LOUISIANA,
Executive Department,
New Orleans, November 20, 1876.

Hon. Charles J. Leeds, Mayor of the City of New Orleans:

I am directed by the Governor to acknowledge the receipt of your communication of this date, with reference to the assessment rolls of the city of New Orleans, and to say that he has laid the matter before the Attorney General, requesting him to take immediate steps to bring the difficulty now existing to a solution.

Very respectfully, your obedient servant,

H. CONQUEST CLAEKE,
Private Secretary.

On motion of Mr. Brown, the Council adjourned to meet on Thursday, November 23, 1876, at twelve o'clock M.

J. H. HARDY, Secretary.

## SPECIAL NOTICES.

**New Orleans, November 19, 1876.—The** annual meeting of the stockholders of Franklin Temperance Hall Association will be held in their hall, corner of Rampart and Spain streets, on MONDAY EVENING, December 4, 1876, for the purpose of electing five directors to serve for the ensuing year.

By order of the president,
no19 de2 3 A. R. MOULIN, Secretary.

## AMUSEMENTS.

VARIETIES THEATRE.
CHARLES POPE.....Manager
ROSE MICHEL.
Monday evening and every night, Wednesday and Saturday Matinees,
ROSE MICHEL.
Illustrated with the most elaborate and BEAUTIFUL SCENERY ever set upon a stage, and with a cast of unexampled strength.
Monday, November 27, MR. SOTHERN.
Box sheet now open.
no19

WENGER'S GARDEN,
11.....Bourbon Street.....13
H. WENGER, Proprietor.
Largest Hall in the city. Best European and American journals on file. Three fine rooms for families, with separate entrance. Best Beer a moderate prices. The largest Orchestr in world, plays from 11 A. M. till 12 P. M my18

## LEGAL NOTICES.

**LOUISIANA MUTUAL INSURANCE COMPANY.**

ALL PERSONS INTERESTED ARE HEREBY cited to show cause within ten days from the publication hereof, why the report of the receiver of the Louisiana Mutual Insurance Company, in liquidation, No. 26,255 of the docket of the Superior District Court, should not be approved and homologated, and the receiver discharged.

JOHN BURKE, Clerk.
New Orleans, November 21, 1876. no21 25 30

**UNITED STATES DISTRICT COURT.**

DISTRICT OF LOUISIANA.

IN THE MATTER OF THOMAS O. SULLY, Bankrupt.

**In Bankruptcy—No. 1547.**

WHEREAS, THOMAS O. SULLY, OF THE CITY of New Orleans, and district aforesaid, duly declared bankrupt under the act of Congress of March 2, 1867, has this day filed in said court a petition praying for a discharge and certificate thereof from all his debts and other claims provable under said act. Notice is therefore given to all creditors who have proved their debts, and to all other persons in interest, that the twelfth day of December, 1876, at 11 A. M., is assigned for the hearing of the same, and that they may then and there attend and show cause, if any they have, why the praver of the said petition should not be granted; and further notice is given that the bankrupt will undergo an examination before Register C. S. Kellogg, on the ninth day of December, A. D. 1876, at 11 A. M., at his office, in the Customhouse building.

Clerk's office, New Orleans, November 20, 1876.
no21 28 de3 R. DEVONSHIRE, Deputy Clerk.

**UNITED STATES DISTRICT COURT.**

DISTRICT OF LOUISIANA.

IN THE MATTER OF MRS. NANCY Y. TAYLOR Bankrupt.

**In Bankruptcy—No. 1501.**

WHERREAS, MRS. NANCY Y. TAYLOR, OF TANgipahoa parish and district aforesaid, duly declared bankrupt under the act of Congress of March 2, 1867, has this day filed in said court a petition praying for a discharge and certificate thereof, from all her debts and other claims provable under said act.

Notice is therefore given to all creditors who have proved their debts, and to all other persons in interest, that the second day of December, 1876, at 11 A. M., is assigned for the hearing of the same, and that they may then and there attend and show cause, if any they have, why the prayer of the said petition should not be granted; and further notice is given that the bankrupt will undergo an examination before Register C. S. Kellogg on the first day of December, A. D., 1876, at 11 A. M., at his office, Customhouse building, New Orleans.

Clerk's Office, New Orleans, November 11, 1876.
no12 19 26 R. DEVONSHIRE, Deputy Clerk.

## BUSINESS CARDS.

A. HERO, JR.,
NOTARY PUBLIC AND COMMISSIONER OF DEEDS
Office No. 17 Commercial Place.
Passports procured with dispatch, and prompt attention given to all. au26

## HOTELS AND RESTAURANTS

AUGUSTE'S
COMMERCIAL RESTAURANT
No. 107 Customhouse street,
Between Royal and Bourbon.
All the delicacies of the season, choice wines, etc., always on hand; also, all that is necessary for soirees, weddings, etc., promptly furnished. Private saloons up stairs. Elegantly furnished rooms to rent by the week or month at moderate prices. The restaurant is open till midnight. fa13 1y

MONTROSS HOUSE,
(FORMERLY BOSDELL HOUSE),
BILOXI MISSISSIPPI.
This superior hotel, located on the front, and pleasantly situated, is now open for the reception of visitors. Every luxury the season affords is liberally furnished by the proprietor. Fare splendid and terms reasonable. Special inducements offered to excursionists.
my6 6m PETER J. MONTROSS.

## TAX COLLECTORS' SALES.

**TAX COLLECTOR'S SALE—NO. 3515.**

STATE OF LOUISIANA—PARISH OF ORLEANS—First District, City of New Orleans.

STATE OF LOUISIANA VS. A PORTION OF GROUND, on Dryades street, in square No. 266; now in possession of Mechanics' Society of New Orleans, and assessed as the MECHANICS' INSTITUTE.

STATE TAX COLLECTOR'S OFFICE,
No. 169 Gravier street,
New Orleans, November 22, 1876.

BY VIRTUE OF THE POWER IN ME VESTED BY the act of the Legislature of this State, No. 47 of 1873, approved March 14, 1873, I will proceed to sell at public auction, at my office, No. 169 Gravier street, in the said First District of this city, on SATURDAY, December 2, 1876, at twelve o'clock M.: ALL THE RIGHT, TITLE AND INTEREST of the Mechanics' Society of New Orleans in and to the following described property, to wit: A portion of ground, together with all the buildings and improvements thereon, situated in square No. 266, bounded by Baronne, Dryades, Canal and Common streets and measuring 87 by 148 feet.

Said property having been seized by me to satisfy a privileged claim due the State of Louisiana for taxes due by said Mechanics' Society of New Orleans upon said property for the year 1873, amounting to ten hundred and eighty-seven dollars and fifty cents, together with all costs, penalties and charges.

At said sale the said right, title and interest in and to the said property will not be adjudicated unless the bid is for a sufficient amount to satisfy the aforesaid claim, and also the unpaid taxes upon said property for the years 1871, 1872, 1874 and 1875, together with the penalties thereon, and all costs and charges which may have accrued.

Terms—Cash on the spot. R. FULTON,
State Tax Collector, First District, City of New Orleans. no22 26 de2

**TAX COLLECTOR'S SALE—NOS. 3516 and 3547.**

STATE OF LOUISIANA—PARISH OF ORLEANS—First District, City of New Orleans.

STATE OF LOUISIANA VS. A PORTION OF GROUND, on Dryades street, in square No. 266, now in possession of the Mechanics' Society of New Orleans; assessed in the name of MECHANICS' SOCIETY.

STATE TAX COLLECTOR'S OFFICE,
No. 169 Gravier street,
New Orleans, November 22, 1876.

BY VIRTUE OF THE POWER IN ME VESTED BY the act of the Legislature of this State, No. 47 of 1873, approved March 14, 1873, I will proceed to sell at public auction, at my office No. 169 Gravier street, in the said First District of this city, on SATURDAY, December 2, 1876, at twelve o'clock M., the following described property, to wit—

A PORTION OF GROUND, together with all the buildings and improvements thereon, situated in square No. 266, bounded by Baronne, Dryades, Canal and Common streets, and measuring 58 by 148 feet.

Said property having been seized by me to satisfy a privileged claim due the State of Louisiana for taxes upon said property for the year 1873, amounting to one hundred and seventy-four dollars, together with all costs, penalties and charges.

At said sale the property will not be adjudicated unless the bid is for a sufficient amount to satisfy the aforesaid claim, and also the unpaid taxes upon said property for the years 1871, 1872, 1874 and 1875, together with the penalties thereon, and all costs and charges which may have accrued.

The purchaser at this sale will be put in immediate possession.

Terms—Cash on the spot. R. FULTON,
State Tax Collector, First District, City of New Orleans. no22 26 de2

## SHERIFF'S SALES.

**Arthur Skiff vs. D. Benquinet and C. Bero.**

SIXTH DISTRICT COURT FOR THE PARISH of Orleans, No. 9073.—By virtue of a writ of seizure and sale to me directed by the honorable the Sixth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, December 23, 1876, at twelve o'clock M., the following described property, to wit—

ONE LOT OF GROUND, together with all the buildings and improvements thereon, rights, ways, privileges and advantages thereto belonging or in anywise appertaining, situated in the Third District of the city of New Orleans, in square number two hundred and thirty-seven, bounded by Poland, Dauphine, Burgundy and Kentucky streets; the said lot is designated as lot number one, on a lithograph plan, made November 16, 1874, by Louis H. Pilie, surveyor, and annexed to an act passed May 1, 1875, before W. J. Castell, a notary public in the city of New Orleans; which said lot of ground forms the corner of Dauphine and Poland streets, and measures twenty-six feet six inches three lines front on Poland street, by a depth and front on Dauphine street of one hundred feet, between parallel lines; the whole American measure, agreeably to said plan. Being the same property acquired by the defendants herein by purchase from Claudius Gouzy, per act passed before O. Drouet, a notary public in this city, on the twenty-fifth of October, 1875.

Seized in the above suit.
Terms—Cash on the spot.
EUGENE WAGGAMAN,
no21 26 de3 23 Civil Sheriff of the Parish of Orleans.

**George Brandt vs. Joseph S. Garcia.**

FIFTH DISTRICT COURT FOR THE PARISH of Orleans, No. 7679.—By virtue of a writ of seizure and sale to me directed by the honorable the Fifth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, December 23, 1876, at twelve o'clock M., the following described property, to wit—

FOUR LOTS OF GROUND, with all the buildings and improvements thereon, situated in the Second District of this city, in the square bounded by Claiborne, Robertson, St. Louis streets and Carondelet walk, designated by the numbers nine, ten, eleven and twelve, on a plan made by F. N. Tourne, architect, on the fifteenth of