CITY AFFAIRS.

WANTED! MONEY AND ARMS.

Was Packard's Cry to the Solid Men of the North.

A "Foreign" Loan Invited for Packard's Warrants to Arm the Militia With.

Some of the documents found at the State-House and published exclusively by the DEMOCRAT has given the public a fair insight of the manner in which the late so-called Republican government managed matters in the way of securing arms

FOR CAMPAIGN PURPOSES

and for the purpose of preventing the legally elected government from obtaining possession of the property belonging to the State.

The appended letter goes further than that however, showing, as it does, an effort on Packard's part to secure a loan upon State warrants, such as were issued by his officials, to carry on his war upon the people of the State.

Whether the loan was secured or not does not appear, but the fact is evident from the late date of the letter and its expression, that warrants have been issued for large amounts, and are now safely stowed away in the pockets of those who could be induced to purchase them.

The letter, an exact copy of which is appended, came, of course, from that mine that the DEMOCRAT reporter discovered in the old rubbish at the State-House:

NEW ORLEANS, March 21, 1877.

Sir—I am directed by his Excellency Gov. S. B. Packard to acknowledge receipt of your letter dated March 19, 1877, tendering a sum of money in case it might be needed, etc.

And, in answer, to inform you that our friends need not be at all concerned about our ability to hold out. We are embarrassed only by want of means for the purchase of arms and munitions of war. The Legislature has made appropriation for all expenses of the government, including the militia. But the moneyed men of this city are in a combination to aid the Nicholls government and to prevent our collection of taxes, etc, and to destroy the value of our warrants upon the Treasurer of the State.

If our friends in the North with means wish to aid our cause and the cause of civil liberty under the constitution of the United States, it can best be done by a combination of men able to furnish means to cash warrants issued by the State for its legitimate expenses.

As soon as he (Gov. Packard) is recognized he can collect the taxes, and our warrants will appreciate to nearly par. This could be done as a loan upon State securities, or by a purchase of the warrants at the market discounts. The money invested in this way would be perfectly secure, and would also return a remunerative interest for its use.

We have a legal quorum in both houses of the General Assembly. All the appropriations have been lawfully made, and there is no legal impediment, and no serious impediment, except the want of recognition from the President.

In closing, he desires me to say that he is not in need, personally, nor can he accept your offer, though he herein expresses his thanks for its kind proffer.

We have men enough to demonstrate that a Southern State government can sustain itself without Federal aid as soon as we can equip ourselves with arms, etc., of which we are in need.

Very respectfully, etc.,
E. O. BALDEY, Adjutant General.
W. W. Kelly, Esq., Port Byron, New York.

MARBLE HALL TOPICS.

Packard's Letter Wrestled With by Custom-House Gossipers.

Some Say He Has Intimidated the President Sure Enough.

To-be Collector King being in the city and Tom Anderson having returned post haste from his country home, there was any amount of life in Custom-House circles yesterday, especially those desirous of serving their country in easy positions in the Custom-House, and a general raid was made by anxious applicants upon the two persons named.

There was something too which

DISTURBED THE MINDS

of some of the sachems, and that something was generally ascribed to the demoralizing effect Packard's letter (published exclusively in yesterday's DEMOCRAT) to the New York *Tribune* had.

A rumor was current in the building that the letter had caused the President to suddenly change his mind as to future appointments in this State, at least for the present, and in the meantime the President would give the office-hunters here a chance to pour into his office a few cords of applications for positions.

Our informant was of the opinion that Packard had actually

INTIMIDATED THE PRESIDENT,

and that for awhile he would "have big say," as our informant expressed it, in Federal patronage here.

The letter, he claimed, would be the cause of a "ruination of Jack Wharton's chances," and there were some who thought that Packard had managed even to out-general the Returning Board in his manner of working into the presidential affections.

From the expressions of friends of two of the Returning Board members it is evident that Packard has secured the everlasting displeasure of the two referred to, and were they to have another mathematical matinee over parish returns and Packard, the Republican candidate, they would give him

A GENTLE BOUNCE,

even though it gave position to a Democrat.

One individual remarked that Packard was doing all he could to assist in Hayes' ejectment by the Supreme Court of the United States, and that messengers had already been here, from New York, to see him upon that subject, but this was not, of course, corroborated by Packard himself, and is given merely for what it is worth.

Packard and Pitkin were closeted in the latter's office during the day with some of their friends, where, it is said, another address to the people of the United States was being prepared, to be forthcoming when the President makes the next appointment against Packard's wishes.

Collector King, it is said, will assume charge of his office either to-day or to-morrow.

CAPITOL GOSSIP.

General Notes—The Packard Police Kicking—The Investigating Committees.

There having been a few dozen of the ex-metropolitans who were not on hand Saturday to obtain their warrants, they made their appearance at the State-House on Monday morning and interviewed the Governor's private Secretary, obtaining their warrants and retiring satisfied.

Some were present, too, who had served in the State-House, but whose names had been

OMITTED FROM THE LISTS

by the committee of Republicans who prepared that document, and for that reason they vowed vengeance hereafter on all republican institutions, including the list manufacturing bureau.

In connection with the list matter there appears on the House roll, as prepared, ninety-seven names, whereas the list furnished by Guichard, clerk of the Packard House, to the Governor's private secretary, shows

BUT THIRTEEN NAMES

which is singular, to say the least.

Many of the ex-Metropolitans have secured positions in different parts of the city, and to their credit be it said, are actively employed, while the minority have not as yet found employment.

Matters in general about the State-House on Monday morning were not of more than usual interest. The Attorney General's attention was called to the Supreme and other courts, and the Superintendent of Public Education was engaged in directing the affairs of schools in the parishes.

The Secretary of State, Mr. Strong, having returned to the city, had his hands full of country communications, and was preparing responses thereto.

The Auditor's office is

FLOODED WITH LETTERS

of inquiry from the country, some asking as to the proper construction of various laws, and the majority making inquiries of a trivial nature, and of these there are so many that the service of a brigade of clerks would be required to answer them all.

The Auditorial and the Treasury Department Committee, or a portion of each, met at 1 o'clock, and remained some time awaiting the arrival of other members. They did not put in an appearance, however, and the committee adjourned to meet at 1 o'clock this afternoon, when (the chairman says) the roll will be called and the absentees noted.

Senator Ogden and Representative Fitzpatrick, of the committee to examine the accounts of

EDUCATIONAL BROWN,

met at the office of the State Superintendent of Public Education, and, there being no quorum, adjourned to meet at 1 p. m. Wednesday.

Some portions of the State-House are now being put in thorough repair, and the old building begins to wear a respectable aspect once more. The private office of the Lieutenant Governor, in the rear of the Senate Chamber, has been

CLEANED AND WHITEWASHED

and the carpets relaid, giving those rooms a much healthier appearance than they had before.

The Senate Finance Committee room, opposite the Attorney General's office, has a new carpet laid upon the floor, and is now arranged for the sessions of the joint committee upon the Auditor's and Treasurer's offices. The hall of the House of Representatives is being repaired and cleaned, and at the next session will be arranged in a much more convenient manner than ever before.

In the upper portion of the building the appearance has not changed much since the first day of the occupancy by the State authorities. In some of the rooms the furniture has been

COMPLETELY SMASHED OR BROKEN,

and in others heaps of dirt are seen scattered over the floor. In one of these rooms a huge heap of ashes shows the remains of a vast amount of documents destroyed, of course, and in the same room has been found quite a mass of the registration documents, sewing machine affidavits, etc., etc., which in the hurry to evacuate the building escaped destruction.

In another room a DEMOCRAT reporter found, near the grate, scraps of paper which, by pasting together, was found to be part of

THE RETURNING BOARD SUMMARY

of the returns compiled for the Presidential Electors, the balance having been, of course, with other documents consigned to the flames.

In the fourth story, or what is better known as the sky parlor, two or three rooms show conclusively that there had been a systematic mode of destruction of documents, the grates in each being full, and the floors covered with ashes from burned paper.

It was in these rooms that the detailed policemen were employed last fall in arranging the Sewing Machine Circulars, but there is evidence enough in one of the lower rooms to show exactly how this dodge was carried on, and which may result in a few

INDICTMENTS FOR PERJURY,

as quite a number of affidavits have been found signed in blank by various members of the ex-metropolitan police force and some of the Republican canvassers.

The engine room in the basement yet bears evidence of the destruction of documents in that room, and one little item of information picked up there, from an eye-witness, leads to the belief and almost positive knowledge that a few days before the evacuation, there was consigned to the flames in the furnace underneath the boiler, nearly

5000 FRAUDULENT REGISTRATION PAPERS,

a large number of which, our informant stated, were voted upon by "repeaters" and imported voters at the last election.

OUR FILIBUSTERS.

What Old Soldiers Think of the New Scheme Against Mexico.

The recent dispatches published in the DEMOCRAT relative to a prospective raid by organized bands from the United States has caused considerable of a movement among those who are out of work and inclined toward filibustering. A large class of people who have been waiting for the politics of the State to settle down in order to secure some official position, and who have failed to secure any, are

TAKING TO THE SCHEME

very favorably.

A DEMOCRAT reporter had a long conversation with quite a number of those out of work relative to the prospect of securing one or two regiments in New Orleans to go down to Mexico to aid this novel project.

One old Confederate said that if well known leaders could be put at the head of the scheme, two thousand men could be raised in sixty days here, but if ordinary men were "to boss the job, the true fighting material would not touch it.

One Italian said he would go anyway; he wanted a change, and if there was any hope for money

HE WOULD JOIN AT ONCE.

A carpenter, who is out of work, said to the reporter that rather than be idle for the summer he would enlist to-morrow; but a friend of his, who was enjoying a siesta in Jackson Square, merely dismissed the project by saying: "The whole game is damn foolishness, and will end like Walker's trip down to Costa Rico."

This expedition was the main topic of conversation in the smaller cabarets and groceries where loungers out of work congregate, and the pros and cons of the debate showed that a large part of the poorer class of the people here are ready to take Mexico if an excuse was offered to-morrow.

THE PACIFIC RAILROAD TAX.

The First Ward Speaks, but in Favor of Police, and Leaves the Railroad Question Undecided.

A meeting of the citizens of the First Ward was held at Brown's Hall last night, the object of the call being to ratify the recent act of the Legislature in regard to the Pacific Railroad, and proposing a tax for the completion of that road.

The meeting was called to order by Emile J. O'Brien, who tendered the chair to Mr. W. B. Smith.

The friends of the railroad had prepared a resolution, but before it was introduced another was offered, reading as follows:

Whereas, the citizens of the First Ward believe that further taxation of real estate is opposed to the interests of the city; therefore, be it

Resolved, That we, the citizens of this ward, do oppose and call upon all citizens to vote against it as an evil to the city and opposed to its best interests.

The vote on this was not decided when the following substitute was presented and adopted unanimously:

Resolved, That a committee of five be appointed to wait upon the

MAYOR AND ADMINISTRATORS,

and request them to give the proper representation on the police force to the bona fide residents of the ward.

The chair appointed as the committee: Emile J. O'Brien, Thos. Brennan, Pat Meally, John J. Mellon and S. H. Back.

Several speeches were made during the evening for and against the proposed tax, Judge W. W. Howe speaking in favor of and Messrs. W. B. Richardson and, Fallon against the proposed tax, and the assembly being so evenly divided,

IN THE OPINION OF THE CHAIR,

that the Police Administrator's resolution took precedence and went through as a substitute and without any opposition.

MUNICIPAL MATTERS.

The Poydras Market Imbroglio Clearing Up—Police Supernumeraries—Licenses and Taxes.

The following communication has been addressed to the City Council in connection with the Poydras Market imbroglio:

OFFICE NEW ORLEANS & CARROLLTON R. R. CO., New Orleans, May 7, 1877.

In addition to ascertaining from the records of this company that the claim of Mrs. Gaines for the property on which the Poydras Market stands was founded in error, I now find that these records show that the claim for a strip of land ten feet deep, running from Circus to Phillipa streets, sold to the city by this company, is also founded in error. I suggest that the City Attorney, or whoever represents the city, call at this office and examine the various maps and records relating to this property. Very respectfully,
W. VAN BENTHUYSEN, President.

The following has also been addressed to the Mayor and Administrators by Mr. VanBenthuysen concerning the plat of ground in dispute:

OFFICE NEW ORLEANS AND CARROLLTON RAILROAD COMPANY, New Orleans, May 10, 1877.

Through the assistance of Mr. Deslonde I find that an error has occurred with regard to the plat of ground in front of Poydras Market, the measurements and description being so vague as to lead to error.

From the minutes of this company I find that a plat 41x71, in front of Poydras Market, was sold to the city by this company 3d August, 1866. This plat is taken from a subdivision originally 132 feet in width, and stood upon the original maps as 32x70, subsequently it became 42x70, and more subsequently a width as yet undetermined by 70 feet depth; of this the company sold to the city 41x71 feet, the remainder, or 16 feet on one side, are the portions claimed by this company. These lines will have to be determined by a careful survey and such measurement of the streets and sidewalks as shall be necessary as to determine the rights of this company and the city. Very respectfully,
W. VAN BENTHUYSEN, President.

This last letter seems to put the question of the ownership of the small plat of ground in dispute in another light, but the matter still looks a little mixed and will have to be determined by official investigation.

Since writing the above we have been permitted to copy the following letter:

OFFICE N. O. AND CARROLLTON R. R. CO., New Orleans, May 12, 1877.

A. White, Esq., President Poydras Market Association:

Dear Sir—In answer to your application to lease and control the whole plat in front of Poydras Market, and in compliance with my promise to acquaint you with the result of the investigation of the company's right to said plat, I have to inform you that on examination of the record, I find that a *portion* of this ground was sold to the city in 1866, and therefore this company no longer controls that portion sold. The lines of measurement being vague and different in the various maps and acts relating to this plat, a careful survey will be necessary to determine the exact boundaries of the portion sold. Presuming that you desire to control the whole ground, this sale of a portion of this plat prevents that object.
Very respectfully,
W. VAN BENTHUYSEN, President.

Thus the purposes of the market people to

OBTAIN CONTROL

of the plat of ground occupied by the hucksters, in order to either drive them away or tax them so heavily that they would be compelled to sell their wares and vegetables at the same rates as in the market, is effectually frustrated.

Mr. d'Hemecourt, the City Surveyor, has begun his examination of the record in these, but at the conveyance office has met the objection of Gov. Penn, the Registrar, who claims that it is one of the prerogatives of his office to furnish the data for a compensation. The objection was reported to the Mayor, who will in his turn refer it to the City Attorney. Mr. d'Hemecourt thinks it will take him two or three months to trace the title to this property.

THE POLICE.

The following policemen and supernumeraries have not yet qualified at the City Hall:

POLICEMEN.

First Precinct—Joseph Serra, Jno. L. Gill, Martin Logan, Terrence Hackett, J. R. Gill.

The following supernumeraries have been appointed to fill these places:

Ed. White, Junius Garlick, Thos. Quinn, Ed. Hewitt Gilleonnors.

Second Precinct—John J. Barrett.

Third Precinct—John White, Matt Gaiennie.

Fourth Precinct—A. Guzman, Charles Broadhead, John Bayhi.

The following supernumaries have been appointed patrolmen in the Fourth Precinc.: J. A. Martin, Thos. Walsh.

Fifth Precinct—E. Monnette.

Sixth Precinct—F. Fruthaler, C. Orkus, J. Kurtz, M. Sheehan, P. Ryan.

Harbor Precinct—C. Glover.

The following patrolmen have been assigend as court officers of recorder's courts: Geo. McEvoy, Geo. E. Stone, L. Adams, R. L. Brown, L. Dooley.

SUPERNUMERARIES.

Harbor Precinct, B. Haggerty; First Precinct, J. H. Nixon; Second Precinct, W. R. Burke; Third Precinct, G. R. Fortier, F. Pezzica, Jno. W. Riddell; Fourth Precinct, Stanley Jones; Fifth Precinct, Edgar Ruiz, Jno. Hurley; Sub-Fifth Precinct, Michael Murray, Jno. Taylor; Sixth Precinct, Pat. Burns, C. E. Van Houten; Eighth Precinct, Peter Jones.

The nomination of Stanley Jones was made at the request of the State Central Committee, and was improperly advertised as Eli Jones. El made application on Saturday for his commission, when it was discovered that he was one of Packard's men to the last, and not the person which it was intended to have appointed.

LICENSE AND TAX SUITS.

To-day and to-morrow are the last days for paying city taxes at the Hall, consequently there is a large attendance at the office of Col. Denis, and the clerks are quite busy.

The Administrator of Finance has already filed from seventy-five to a hundred suits in the justices' courts, under the new law, against delinquent license payers. No summary process has, however, been taken out against them. They will be simply notified of the suits, and those who are prompt and who may have good reasons to offer will be allowed to settle on favorable terms.

THE PRINTING BOARD.

The Meeting Yesterday—Blanks for Various Offices to be Contracted For.

The State Printing Board met yesterday at 1 o'clock p. m.

Present: Gov. Nicholls, Chairman; Speaker Bush, Senator Steven and Representatives Leonhard and Lamare.

The matter of the contract for printing books and blanks for registration purposes was considered, and resulted in the adoption of a resolution calling the attention of the Secretary of State to

SECTION 3 OF ACT NO. 101,

extra session, relative to the printing of blanks.

That provision of the law, act 100, extra session, relating to the printing and binding of the Supreme Court Reports was examined, and a resolution adopted instructing the secretary of the board to advertise for sealed proposals, in accordance with the provisions of the act.

It was decided to refer the matter of the general printing contract to the Attorney General for his construction of the various provisions, and Messrs. Lamare and Leonhard were appointed a committee to wait upon the Auditor and Secretary of State, to ascertain what blanks were necessray for their offices, and to suggest to the board specifications thereof.

Adjourned subject to call.

WHERE HAS HE GONE?

Sudden Departure of an ex-Tax Collector for Somewhere.

The contests in the Packard-Shaw Court about the State Tax Collectorship of the First District, in which Ed. Fulton sought to eject Major Burke from that office and signally failed, on account of the impotence of that tribunal, will recall probably Fulton to mind. He effulged here for many years, but now it seems according to current talk, he has left for the sunny slopes of California to join James Clark, not entirely unknown here.

So far no reasons for this unlooked for departure can be gleaned, but as he was a Packard officer, a tax collector, he doubtless had given up the ship and longed for the balmy air of the Missions or San Joaquin Valley.

PAY MY SOLDIERS.

Is What Packard's Order Directed When He Had the State House.

The following is "official":

STATE OF LOUISIANA, Adjutant General's Office, New Orleans, January 18, 1877.

Special Order No. 6.]

Brig. Gen. Wm. L. McMillen, Paymaster General of the State, will pay the troops of the First Division L. S. N. G., for the month of January, 1877.

By order of the Commander-in-Chief.
GEO. BALDY, Adj't. Gen.

BEEF! BEEF!!

The Cheap Meat Question Assuming an Interest Here.

Those old gentlemen who affect early market baskets and look toward the early bird for a model, doubtless, better than any other class of our citizens, appreciate the rich, ruby ripeness of a rudy porter-house steak or the juicy joint. Every one of our markets greet them cordially somewhere between 5 in the morning and half-past 6, and their judgment on a plump Western quarter or round of Texas beef is *res adjudicata*.

To these connoisseurs the price does not seem to enter much into their consideration when they want the piece, but now that the cable begins to

BRING NEWS FROM ABROAD

that the new refrigerating process of carrying slaughtered Texas beef across the water is a success, and that choice cuts are now laid down in London markets at 15½ cents, the time is ripe for revolution. Yesterday a DEMOCRAT reporter had an interview with a gentleman who had just arrived from England, and who had witnessed the sale in Spitalsfields, London, of fresh, toothsome steaks at that price, and it was eagerly sought for.

In our New Orleans markets now one can seldom secure choice pieces for less than from 22½ to 25 cents per pound of this very same article, notwithstanding the fact that Texas leans

OVER OUR SIDE FENCE

and we can shake hands over the rails. How it is that John Bull, thousands of miles off, can sit down to his plump Texas round at 15½ cents, when the Orleanois have to grumble at lank, scrawny pieces at 22 cents, seems more than singular, when freightage and the care in transportation is considered. The ice required, the constant attention needed, and the risks to be taken by the shipper make it a little curious how such should be the result, yet it is the case.

Life Association of America.

The Louisiana Department Life Association of America, whereof Gen. J. B. Hood is President, Mr. Jules A. Blanc, Vice President, and our genial friend S. Flower, Secretary, held an election on Monday, and the following gentlemen received the unanimous vote for directors to act for one year:

R. M. Walmsley, H. V. Ogden, T. H. Hunt, Joseph Bowling, Julius Vairin, J. J. Gidiere, M. Musson, Isaac Scherck, John Chaffe, S. H. Kennedy, B. F. Eshleman, W. S. Bailey, J. L. Harris

Louisiana Jockey Club.

At a meeting of the stockholders, held yesterday at the Jockey Club's rooms, No. 16 Carondelet street, the following gentlemen were elected directors for the ensuing year:

G. A. Breaux, R. W. Simmons, E. A. Yorke, Chas. T. Howard, Jos. P. Horner, John A. Morris, I. E. Glenny, T. L. Airey, W. B. Krumbhaar, Atwood Violett, N. D. Wallace, Jos. Hernandez, A. P. Mason, Harrison Watts, J. W. Saunders, A. M. Bickham, T. C. Herndon, S. W. Hammond. W. C. Lipscomb, W. A. Bell and R. E. Rivers.

An Attempt at Burglary.

About 2 o'clock Sunday morning burglars entered the residence of Mrs. McQuade, at the corner of St. Thomas and Melpomene streets.

The noise made by the burglars aroused Mrs. McQuade, who gave the alarm, and forced the night prowlers to beat a hasty retreat.

Mrs. McQuade, before the thieves retreated, had a good look at them, as was shown by her description to the police.

Burglars at It Again.

Between 1 and 2 o'clock Monday morning burglars, by climbing a gallery post and by means of an open window, effected an entrance into the residence of Mr. Theodore Dennery, No. 470 Magazine street, and succeeded in stealing the following articles: One open face French gold watch, one chain and locket, one pair of cuffs, with gold sleeve buttons, a silver match box, a tobacco box, a lot of plated ware, two pocketbooks containing $6 50, and some wearing apparel.

Later in the morning Corporal Mahoney found the two pocketbooks on Race street, but the money had been abstracted.

Brevities.

The large picture of his Holiness the Pope, by which the platform at Lafayette Square was ornamented, was kindly furnished for the occasion by Theo. Lilienthal, photographer, 121 Canal street, to whom the committee of arrangements and Catholics of New Orleans feel grateful.

To-day at 1 p. m. the Governor, Lieutenant Governor and State officers will pay a visit to Gen. Augur at his headquarters, on Camp street, corner of Delord.

About a year ago Mr. Wintz, president of the N. O. City Railroad Company, said on several occasions that if the City Council permitted the dummies of the lake road to come up as far as Clay Statue the company would only charge five cents to the lake. The privilege was granted, but the fare is still ten cents each way. Good for Fred. He is an enterprising young man, and as he is about asking for something more he will be encouraged.

On motion of Assistant Attorney General Egan, in the Supreme Court yesterday, the case of Jumel vs. Johnson was fixed for argument at 11 o'clock this morning.

The following names were omitted from the roster of the Roman Rifles (Capt. Leonce Bouny): Chas. Laurent, L. Delhom, E. H. Fran, A. Rieffel, G. Ringer, Geo. Peyrat, Jas. St. Alexandre, Chas. D. Smith, A. Soussaye.

Short Items.

Dennis Adams, Henry Keeling and Henry Williams were arrested and incarcerated in the Central Station, charged by John White with having robbed him, at the Jackson Railroad depot, of a razor, a dirk knife and a guitar.

Frank Johnson was arrested at the corner of Canal and Front streets and now languishes in the Third Station-house, charged with breaking and entering a house in the nighttime.

Charles Monagham, charged with kidnapping, was yesterday surrendered by his sureties, and sent to the Parish Prison by Judge Miltenberger.

Randall McConnell, alias F. Muggs, was arrested by Officer McKay on Dryades street and lodged in the Central Station, charged by a negress named Rosa Clark with being drunk, disturbing the peace and with drawing a revolver on her with threats to kill.

Pearl Soapina.

SUPREME COURT DECISIONS.

MONDAY, May 14, 1877.

Present: All the Justices.

BY CHIEF JUSTICE MANNING.

No. 6417—Lafayette Fire Insurance Company vs. H. E. Remmers. Rehearing granted.

No. 6579—Succession of P. G. Quinn. Oppositions of S. S. Harrell et al. Rehearing granted.

No. 6432—Heath, Pippey & Lara vs. E. F. Herwig, chairman, etc. Rehearing refused.

No. 5373—H. B. Stevens vs. Judson, Fowler & Stillman. Rehearing refused.

No. 5355—Hunt & Macaulay vs. Mississippi Central Railroad Company. Rehearing refused.

No. 6568—Succession of Dr. J. C. Patrick. Rehearing refused.

No. 5158—Ferdinand M. Goodrich vs. Logan Hunton. Rehearing refused.

No. 6140—Succession of Drauzin Triche. Rehearing refused.

No. 6564—Frank Watson vs. Mrs. E. F. Bondurant, executrix, etc, et als. Rehearing refused.

No. 6565—Succession of Nezilda St. Amans. Rehearing refused.

No. 6475—Marvin's Safe Company vs. Gauthreaux & Wright. Rehearing refused.

No. 5347—George W. Byrne vs. Hibernia National Bank of New Orleans. Rehearing refused.

No. 5351—William H. Hale, administrator, vs. McGehee, Snowden & Violett. Rehearing refused.

No. 5407—The Workingmen's Accommodation Bank, appellant, vs. Geo. T. Converse et als.—Appeal from the Fifth District Court, parish of Orleans. Plaintiff sues on a bond in its favor conditioned on the faithful performance by the principal of the duties of paying teller. As the requirements of the free banking act of 1875 have not been complied with, and the general incorporation laws of the State prohibit bodies organized in accordance with their provisions from engaging in banking business, plaintiff cannot sue as a political body, and can appear in court only in the individual names of the members who compose it. Judgment affirmed.

No. 6621—State of Louisiana ex rel. A. Bonnet vs. John S. Tully, Judge *ad hoc*, Second District Court. Mandamus refused.

No. 6340—Succession of Philip Drumm, appellant. Opposition of Richard Lloyd. Appeal from the Second District Court, parish of Orleans. Judgment reversed.

No. 6611—Mrs. Ann E. Green vs. Miss Ann Conery, appellant.—Appeal from from the Fourth District Court, parish of Orleans. Motion to dismiss denied.

No. 6517—Succession of Francois Bougere. Opposition of Mrs. A. Richard, appellant.—Appeal from the Parish Court, parish of St. Charles. On rehearing. Parish judges have not the right to homologate the accounts of executors in chambers. It must be done in open court. Former decree reversed and case remanded.

No. 5402—J. H. Montague et al. vs. Weil & Bro. appellants—Appeal from the Sixth District Court, parish of Orleans. A commercial partnership exists, for the purpose of its liquidation, after it has been dissolved, and the former partners may be sued in the court of the firm's domicile on the liabilities of the firm. The payment of the rent stipulated in a new lease, the signing of which they have deferred, by the lessees occupying the premises under a former one, is evidence of their considering the new lease complete, and they are bound by it.

Special notice of the dissolution of a firm should be given to those who have had dealings with it. Judgment affirmed, subject to certain credits.

No. 6419—Bridget Reardon, wife, etc., et al., appellants, vs. Daniel Moriarty et al.—Appeal from the Sixth District Court, parish of Orleans. Judgment amended.

Justices Marr and Egan delivered concurring opinions.

Justice Spencer, Justice De Blanc concurring with him, delivered a dissenting opinion.

No. 6637—Josephine Johnson vs. Clark & Meader et als., appellants.—Appeal from the Fourth District Court, parish of Orleans.

The dismissal of an appeal for want of a sufficient bond does not preclude the appellant from taking a second appeal if done within the year. Where defendants being notified by the sheriff that unless a writ against them was satisfied by a certain hour he would seize and advertise for sale their stock in trade, and to avert this seizure pay the amount claimed and immediately take steps to stay the fund in the sheriff's hands; this payment is not such an acquiescence in the judgment as will prevent them from exercising the right of appeal.

Motion to dismiss denied.

No. 6324—State of Louisiana, ex rel. New York Guarantee and Indemnity Co., appellants, vs. The Board of Liquidators—Appeal from the Superior District Court, parish of Orleans.

This is an application for a mandamus to compel the defendants to fund bonds, issued to the Mississippi and Mexican Gulf Ship Canal Co. The court adheres to its opinion in the case of the Exchange Bank vs. same defendants. Judgment affirmed.

Justice DeBlanc dissents.

No. 6640—Hugo Redwitz vs. E. Waggaman, Sheriff, et als., appellants—Appeal from the Fifth District Court, parish of Orleans. Appeal dismissed.

No. 5445—Bostick & Seymour, appellants, vs. Mendenhall & Kitchell.—Appeal from the Fourth District Court, parish of Orleans. Judgment affirmed.

No. 4692—James Reid, appellant, vs. Louisiana State Lottery Company.—Appeal from the Superior District Court, parish of Orleans. Letters intended to show the assertions and statements of one of several co-conspirators are inadmissible if written subsequent to the accomplishment of the purposes of the conspiracy. Judgment reversed.

Justice Marr concurs as to the facts, but dissents as to the right to sue for a prize won from defendant.

BY JUSTICE MARR.

No. 6509—Widow J. C. de St. Romes, appellant, vs. her creditors.—Appeal from the Fourth District Court, parish of Orleans. Where there is good ground to believe that appellant's counsel considered the copying into the transcript of certain evidence as being dispensed with by an agreement between counsel, though the evidence so omitted is not covered by the agreement the appeal will not be dismissed without allowing appellant the opportunity of supplying the omission. Motion to dismiss denied, and appellant ordered to complete transcript.

No. 6490—D. & J. D. Edwards, appellants, vs. Fairbanks & Gilman; John Coleman, appellant, vs. Fairbanks & Gilman; C. Cavaroc & Son vs. W. P. Harper, sheriff, et al., appellants; New Orleans Mutual Insurance Association, intervenor and appellant.—Appeals from the Fifth District Court, parish of Orleans. Judgment affirmed.

No. 6249—John V. Sevier, appellant, vs. J. R. Gordon, wife of G. L. Thompson.—Appeal from the District Court, parish of Tensas.

The demand by suit of a judicial partition is an acceptance, pure and simple, of the succession by the heirs, and the right of creditors of the succession to provoke the separation of patrimony must be exercised within three months of such acceptance; and where the creditor of the succession has not so caused the separation every personal creditor of the heir put in possession by the partition has the right to seize and sell the portion of such heir, and the purchaser of the heir's interest cannot be held liable for his virile share of the debt of the estate. Where the purchaser of such heir's interest promises to pay his share of the debt, believing the property sold to be liable therefor, there is such error in the motive as makes the promise void. Judgment affirmed.

Justice Egan delivered a concurring opinion.

Justice Spencer recused.

BY JUSTICE DE BLANC.

No. 6468—State of Louisiana, ex rel. F. Commiege et al, vs. the Judge of the Superior District Court.—It is within the discretion of the Judge of the District Court to grant or refuse an application to dissolve an injunction by furnishing bond. Prohibition refused.

No. 6424—Bernard Barthe vs. the Judge of the Superior District Court. Prohibition refused.

No. 6622—Succession of Francois Lacroix; City of New Orleans opponent and appellant. Appeal from the Second District Court parish of Orleans. Motion to dismiss denied and judgment reversed, reserving the rights of all parties.

No. 6624—Hugh McCloskey, appellant, vs. J. D. Martin and Richard McCloskey, executors, etc.—Appeal from the Second District Court, parish of Orleans.

Where a testator having, as part of a legacy, willed that the legatee should have the right to rent, at a fixed price, certain property, and the legatee causes this right to be recognized, and makes a lease upon those terms, he cannot subsequently, on the ground that this clause was intended as a benefit, and the continuation of the lease would be a burden, be relieved from its obligations, and allowed to have the rent so graduated as to conform it to the fluctuations in the value of rent or property, that the disposition in his favor shall remain an advantage. Judgment affirmed.

No. 6444—Mary E. Martin, wife of Dawson, appellant, vs. Marie Landreaux et als.—Appeal from the Fifth District Court, parish of Orleans. Under the general issue, an agent is bound to establish his authority, and plaintiffs, who assert and rely on that authority, whether it be denied or not by the supposed agent, must prove what they assert. Judgment reversed and case dismissed as of non-suit.

No. 6601—Edward Meyer vs. G. Deffarge.—H. Mehnert, garnishee and appellant.—Appeal from the Fourth District Court, parish of Orleans.

Order dismissing appeal revoked, and delay granted for completing transcript.

No. 5367—Semple, Reno and Cassilly vs. A. Thomas, owner, etc., appellant.—Appeal from the Fourth District Court, parish of Orleans. Judgment affirmed.

BY JUSTICE EGAN.

No. 6463—Desire Gregoire vs. B. L. Lynch, Judge of Superior District Court, et als.—Relator had enjoined the Administrator of Commerce and the Chief of Police from interfering with his business as a private marketman, which suit is now pending on appeal. Meanwhile the defendant herein applied for and obtained an order restraining relator from pursuing said avocation. The granting of this second writ, in a suit not between the same parties, is not an invasion of the appellate jurisdiction of this court. Provisional writ of prohibition dissolved.

No. 5348—D. De Haven & Sons vs. A. Simon, appellant—Appeal from the Fifth District Court, parish of Orleans. Judgment amended so as to reduce the rate of interest to five per cent.

No. 6620—M. E. Kirkpatrick, wife of J. J. O'Brien, appellant, vs. Finney & Byrnes et als.—Appeal from the Fourth District Court, parish of Orleans. Judgment amended so as to allow $300 special damages as counsel's fees.

No. 6610—Mrs. M. E. Kirkpatrick, appellant, vs. Finney & Byrnes et al.—Appeal from the Fourth District Court, parish of Orleans. Judgment amended so as to allow $200 special damages as counsel's fees.

BY JUSTICE SPENCER.

No. 6466—Celina Boutte, wife, etc., et al. vs. executors of F. F. Boutte, et als., Appellants. Appeal from the Second District Court, parish of Orleans. Motion to dismiss granted in part.

No. 6492—State, ex rel. widow C. F. Berens vs. the Judge of the Second District Court. Mandamus and prohibition refused.

No. 6501—State of Louisiana vs. Mollie Richardson et al., appellants.—Appeal from the Superior Criminal Court, parish of Orleans.

A charge that defendants did make an assault upon and put in bodily fear and danger of his life one A. B., and feloneously and violently seized, took and carried away from his person and against his will a certain sum, constitutes a charge of robbery, and the omission of the word "rob" is immaterial. Judgment affirmed.

No. 6375—State of Louisiana vs. Jackson Roberts & Israel. Israel appellant.—Appeal from the District Court, parish of Livingston. The declarations and confessions of a co-conspirator, made after the accomplishment or abandonment of the common enterprise, cannot be offered and proved against another co-conspirator. Judgment reversed as to appellant and case remanded.

No. 6612—Inez de la Vallina vs. S. Fasnacht.—Appeal from the Fifth District Court, parish of Orleans. Rehearing refused.

No. 5385—Andres Richaux, appellant, vs. Mayer Brothers.—Appeal from the Fifth District Court, parish of Orleans. Judgment affirmed.

No. 6359—City of New Orleans vs. N. O. Canal and Banking Company, appellant—Appeal from the Superior District Court, parish of Orleans. Where defendant seeks to evade the payment of the tax on a part of its capital on the ground that such part is invested in United States securities or currency, the burden is on it to show what parts of the capital stock are so invested. The presumption is that the report of the assessor is true until disproved. Judgment affirmed.

No. 6577—Wm. Sharp vs. Aug. Gassie, appellant. Appeal from the District Court parish of West Baton Rouge—On re-hearing. Former decree amended so as to reduce judgment to $1329 46.

No. 6509—Charles Marin, appellant, vs. Widow Jeanne Thierry. Appeal from the Fifth District Court, parish of Orleans. Service of notice of a rule to dissolve an injunction by leaving same at the office of the attorney of defendant in rule is not a good service. Judgment reversed and case remanded.

No. 6638—Nalle & Cammack vs. W. P. Terrell; Lehman, Abraham & Co., intervenors and appellants.—Appeal from the Fifth District Court, parish of Orleans. Motion to dismiss denied.

No. 6351—F. P. Martinez vs. J. Estoup; Wm. Hunterman, intervenor and appellant. Judgment affirmed.

No. 6633—New Orleans National Bank, Mrs. A. B. Baranco, subrogated, appellant, vs. Joseph Raymond—Appeal from the Fifth District Court, parish of Orleans. Judgment affirmed.

No. 6636—Joseph Raymond, appellant, vs. Union National Bank et als—Appeal from the Fifth District Court, parish of Orleans. Judgment affirmed.

No. 5416—Gordon & Gomilla vs. Wright & Clark, appellants.—Appeal from the Sixth District Court, parish of Orleans. Judgment affirmed.

Justice Marr recused.

THE COURTS.

United States Circuit Court.

Before the United States Circuit Court the State National Bank has filed a bill in chancery against Mrs. Mary C. Thornhill, Richardson & May and others, in which an injunction is prayed for.

The bill sets forth that the complainant is the successor of the Louisiana State Bank of New Orleans; that on the 26th of December, 1870, the Louisiana State Bank sold to Mrs. Mary Thornhill certain property situated in the parish of Tensas for $18,921.

It is alleged that the Recorder of the parish failed to record the vendor's lien when the act of sale was left in his office. Mrs. Thornhill afterwards granted conventional mortgages to other parties.

An injunction against the completion of these mortgages is asked.

The Crescent City Ice Company have filed a bill in chancery before the Circuit Court, setting forth that they are the owners of three barges of ice, about 1700 tons, and that they purchased it from the administrators of the estate of one Augusta C. Bowles of Illinois. These barges have been moored on the right bank of the river, and the bill sets forth that defendant, Jas. Stafford, is interfering with them.

The prayer is for an injunction restraining Stafford from interfering with complainants.

Judge Woods granted the order and the bond was fixed at $6000.

In the case of D. Weaver vs. T. Eastmann there was judgment by default entered.

United States, ex rel. Alf. Marchand, vs. the Mayor and Administrators of the city of New Orleans.—On showing a new election of city officers had been held, those elected were made defendants in the case, and it was fixed for May 19.

V. H. Gill vs. S. B. Packard, United States Marshal.—The jury was empannelled and cause continued.

Fifth District Court.

Rufus Waples, Esq., has filed a petition in this court against E. A. Burke, Tax Collector, alleging that the defendant is wrongfully preventing the petitioner from collecting his rents due him by Mrs. G. A. Thompson.

It is alleged that, by act of the Leislature regulating the mode of collecting taxes, it is made the duty of the tax collector to proceed to the collections under that act, approved April 20, 1877. That under this law the tax collector cannot stop the payment of rents, as the old law is repealed by the latter.

A rule *nisi* for an injunction was granted plaintiff.

Sixth District Court.

Chastant vs. Roche.—Judgment amended and motion for a new trial overruled. The judgment reserves the plaintiff his right, if any should accrue under the new legislation or future action of the Board of Canvassers relative to this action.

Second District Court.

Before Judge Tissot the successions of Elizabeth Gravil, widow of Jno. L. Threlan, Frank Mourgues and Veronica Mourges his wife, Jno. C. Maxent, Maria Louise Lacoste, widow of Pierre Jerome Michon were opened and Bertrand Bordes was emancipated.

Judge Tissot in case of Lauve Beaufis vs. Henry Bier, for nullity of appointment of tutor rendered judgment for defendant.

Superior Criminal Court.

E. Wedeholm was released on his own recognizance yesterday.

There being no complete panel at hand the court adjourned.

Yesterday we noticed the office of W. H. Barrett, money broker, No. 38 St. Charles street, opposite St. Charles Hotel, thronged with parties to settle their taxes and licenses, which was occasioned by his liberal allowance of discount on warrants received for same. Mr. B. buys these warrants from first hands over the counter and, of course, is prepared to offer larger inducements than any one else. We would advise those concerned to see him.