CUSTOM-HOUSE NOTES.

A COUPLE OF HEAVY LETTERS ON CUSTOM-HOUSE CROOKEDNESS MADE BY ONE WHO HAS BEEN THERE.

The Collector Wants the Thing Sifted, and the Special Agent Is Already at Work—Interesting Developments Expected.

The non-arrival of Tomanderson caused something of a disappointment to the average Federal office hunter, who, on Wednesday morning, had collected at the Postoffice corner to the number of a hundred or more, and among whom the principal inquiry was, "when will he be here?"

This was answered by inquiry at the Surveyor's office, the chief of that bureau stating

THAT HE EXPECTED HIM

on Thursday sure. Beyond the gossip and clatter over the contemplated raid arranged for the benefit of the "outs," but little was heard except an occasional remark upon a letter, which appeared in a morning contemporary as having been delivered to Gen. Barney, Special Treasury Agent, and which handles some of the old Customs officials, deputies, clerks, etc., roughly. Gen. Barney stated at noon to a DEMOCRAT representative that he

HAD NOT RECEIVED THE LETTER,

although it had been published. He is ready to hear complaints or charges at any time, and will make thorough inquiries, but does not attach much importance to some of the points made by the writer of the letter referred to, as he is personally acquainted with him and believes that he is not exactly sound in mind. He will, however, when the communication reaches him officially, take it up and examine witnesses under oath and make a thorough investigation.

In connection with the publication of the letter it was stated by some of Herwig's friends that he would in all probability

BRING SUIT FOR LIBEL

against the paper alluded to, for the publication of a libelous document with no jurat attached, the friend thinking that the paper had put its foot in it.

Later in the day the Collector of the Port addressed the following letter to Gen. Barney:

COLLECTOR'S OFFICE, CUSTOM-HOUSE,
New Orleans, Aug. 8, 1877.

Gen. Barney:

Dear Sir—You may have seen by the papers of yesterday evening and this morning that charges are made derogatory to the official conduct of several officers now in the Custom-House, growing out of some former transactions. These charges are made by Peter Bradley, lately removed. Although he acknowledges that he has concealed his knowledge of frauds in the Custom-House for the last two years, while he was an employe in the building, and although his public communication is made under circumstances

REFLECTING NO CREDIT ON HIM,

yet, as the charge has been made, I think the officers in question should be exonerated or discharged. I have reference, of course, to the officers now on duty.

By giving this matter your attention, as special agent, you will oblige your obedient servant,
JOHN E. KING,
Collector of Customs.

A few moments after the Collector's letter had been received by the Special Agent, the original letter mentioned, as well as another, both written by Peter Bradley, a former assistant janitor in the Custom-House building, was left at Gen. Barney's office.

That official at once sent for Mr. Bradley, and under authority vested in him by existing laws, administered the oath to Bradley, attaching the jurat which will be found at the end of each letter. The two letters, preferring the charges against what the writer terms

THE CUSTOM-HOUSE RING,

are as follows:

NEW ORLEANS, August 5, 1877.

Gen. Barney, Special Agent, etc.:

General—I deem it my duty, after reflection and deliberation, to make the following statement, to the facts of which I am ready to affirm under oath, and am impelled to this course from a sense of duty that I owe to the general government.

1. I charge that P. F. Herwig, while Special Deputy Collector of Customs at the port of New Orleans, did about two years ago import

FIVE HUNDRED BARRELS OF RUM

from Jamaica, West Indies, and liquidated the government charges on same at $2 50 per gallon, while the trade paid the regular tariff of $7 per gallon; also, at same time, imported 500 barrels French brandy, which was liquidated at a similar figure as the rum. This invoice was sold to Cavaroc & Son and other merchants.

Edward Boyce was inspector (day) on duty when above invoice was received and discharged. He also liquidated cargoes on cargoes of sugar from the West Indies at figures detrimental to the interest of the government, and was a partner in the profits derived from said stealage.

That one Charles A. Carrigel, at that time examiner or sampler of sugars, has in his possession a box of papers containing the evidences of

THE ABOVE MENTIONED FRAUDS,

such as weights, classifications and valuations pertaining thereto.

That he is now working in the building under Mr. Voucher, of the construction department, and can be seen at any time, and is willing to furnish all information in his possession in the premises on being called upon. His brother, James Carrigel, was at the time in the Surveyor's Department as inspector of customs, and is familiar with the facts of the case. His residence is on Enghein, between Love and Goodchildren streets.

I also make known to you that Jona C. White, clearance clerk of Warehouse No. 1 (and discharged on the 31st of July, 1877), knows of nearly all the frauds perpetrated on the customs during the administration of Herwig. That he was persecuted by Herwig because he would not join

THE UNHOLY ALLIANCE OF HERWIG,

Eicholz & Co., and was constantly shifted about to inferior positions for that reason, and he would have been summarily removed, but fear was the sole cause of his retention.

White is a poor man with a large family, and was compelled to remain silent while the robberies were going on (from necessitous circumstances).

I furnish also the names of James Bradley, at Routh's boiler shop, on Front, near Girod street; James Wilder, lottery office, St. Ann street, near Jackson Square; R. S. Dennee, No. 60 Carondelet street, and Henry Post, formerly custodian of the building, to prove frauds and blackmailing.

Messrs. Crawford, Champlin, Tomlinson, Hilliard, Eicholz, Finnegan, Aikman, Ludwick, Ullman, Hutchinson, Nelson and Coupland are the managers of the Herwig ring, and are using every endeavor to prevent you from ferreting out their rascalities.

I could make this communication more lengthy, but consider it sufficient to direct your attention to the channel by which these criminals can be reached.

Respectfully, PETER BRADLEY,
Late Janitor of Custom-House.

Peter Bradley, being by me duly sworn, says on oath that the statements contained in the foregoing paper are true, of his own knowledge; also that he signed the foregoing statement with his own hand, and knows the contents of such statement. PETER BRADLEY.

Sworn to and subscribed before me this 8th day of August, 1877.
G. M. BARNEY, Special Agent.

Gen. Barney—Referring to my previous communication on the subject of the Custom-House robberies and *frauds* now employed in the customs department of the general government, I now further inform you that during the month of October, 1870, my brother, Robert L. Bradley, clerk of entry and special officer of customs at this port, was

BRUTALLY MURDERED IN THE NIGHT TIME,

at a grocery, corner of Erato and Carondelet streets, for the reason that he was the principal witness in the cases of the various cargoes of sugars imported by Couturie Bros., which were brought into this city and liquidated at such a figure that on the condemnation of the said sugars the government recovered about the sum of $119,000 in gold, of which one-half went to the government, and the sums of $9999 33 went to Collector Casey, Naval Officer Dillingham and Surveyor Longstreet, each of whom received said amount, making an aggregate of about $30,000.

After the condemnation of the sugars and before the government liquidated the amounts my brother was murdered, as I verily believe, to prevent him from realizing the informer's share, which was to be one-fourth of the whole amount. I am prepared to prove that

FELIX HERWIG & COMPANY

were co-conspirators in the false undervaluation of said sugars.

That Naval Officer Dillingham, in July, 1874, took my brothers James and Augustus and myself before United States Commissioner Grant and persuaded us to sign a document addressed to United States Attorney General Williams, authorizing him, in our behalf as heirs of our brother Robert, to renounce all claims to the pro rata due to my brother as informer.

That I strenuously objected to sign said document, but my brothers insisted on my doing so for fear that I would share my brother Robert's fate in case of not complying, and overcome by their entreaties and threats I consented, and signed said authorization.

That on the same day, at the Louisiana Savings Bank, No. 51 Camp street, I saw

NAVAL OFFICER DILLINGHAM

give my brother James the sum of one hundred dollars.

That three weeks subsequent thereto, L. A. Sheldon, then counsel for James Casey, told me that he had authorized Mr. Dillingham to pay Augustus Bradley the sum of one hundred dollars, which amount my brother received.

That they were duly commissioned and sworn in as boatmen at the Southwest Pass, but upon reflection, and knowing that the river at said pass was as wide as an ordinary sea, and fearful that

SOME ACCIDENT MIGHT HAPPEN

to them, as they were heirs on the sugar estate of R. L. Bradley, they wouldn't take any water in theirs, and they are alive to this day by reason of their better judgment. For my share of the triangular signature I was assigned to duty as assistant janitor, and my noble duty was to keep the "secret session rooms" in order.

That after serving for one month in my olfactorious position, Mr. Felix Herwig, Special Deputy Collector and Acting Collector, authorized Mr. Tomlinson, appointment clerk, to take me before F. A. Woolfley, United States Commissioner, to sign a paper the contents of which I do not know of to this day, as it

WAS NOT READ TO ME.

I was peremptorily ordered to sign it, and as I had a wife and three children in delicate health dependent on me for bread and butter and a roof to cover their dear innocent heads from the inclemency of the weather, I yielded and signed it for the robbers.

That the first year I served my salary was $900 per annum. The second year it was decreased to $840 per annum.

That on the fifteenth day of July, 1876, Mr. Tomlinson sent for me, and in his office read a document which he said was received from the Treasury Department, ordering my discharge on account of a reduction in the treasury force, but that Mr. Herwig, Mr. Champlin and himself, had concluded to retain me in spite of the

ORDER OF THE TREASURY DEPARTMENT,

if I would consent to work for $720 per annum, a further reduction, which, it being Hobson's choice, I accepted.

In spite of this agreement I have been paid by monthly drafts at the rate of $600 per annum, and on the thirty-first of July, 1877, I was notified that my services were no longer required.

Respectfully, PETER BRADLEY.

Peter Bradley, being by me duly sworn, says that he signed the foregoing paper; that he knows the contents thereof, and knows the statements therein contained to be true of his own knowledge. PETER BRADLEY.

Sworn to and subscribed before me this 8th day of August, 1877.
G. M. BARNEY, Special Agent.

Gen. Barney will to-day

BEGIN THE INVESTIGATION

of the charges made, and says he will sift them to the bottom. He has already requested several gentlemen to call upon him and give such information as they may possess, and will, as is the custom and rule of the Treasury Department, conduct the investigation with closed doors.

Bradley, the author of the letter, is a brother of the Bradley who was assassinated some years ago, his sudden taking off being attributed to his taking too lively an interest in the affairs of Federal officials then in office, who wanted and did secure the informers fee in

THE COUTURIE SUGAR SEIZURE,

and it is not unlikely that the Special Agent will develope somerich information before the investigation is closed.

MUNICIPAL MATTERS.

Report of the Commissioners of the Fink Asylum.

The Commissioners of the Fink Asylum have handed in their report to the Mayor, for the quarter ending July 31, 1877.

The report shows that there are 29 inmates in the Asylum, subdivided as follows: from 60 to 70 years of age, 2; from 40 to to 50, 4; from 30 to 40, 5; from 15 to 20, 4; from 10 to 20, 5; from 5 to 10, 8, and one four years old.

No death or vacancy from any cause has occurred since last report. The asylum is full to its utmost capacity, and many applications for admission are on file.

The expenses on the building and grounds were $76 65; supply account, $515 41; salaries and wages, $372; cash on hand, $526 99.

THE M'DONOGH SCHOOLS.

The Mayor has already directed Mr. W. A. Freret to make an inspection of the McDonogh Schools needing repairs, and to report to him in writing. As soon as this is done the Mayor will visit these schools to see for himself what is absolutely necessary to be expended upon them.

THE SHELL ROADS.

Dissatisfaction continues to be expressed at the little work done on the shell roads by the city contractors, who will be held to a rigid accountability for their delinquencies. Livery stable men complain particularly of the incompleteness of the work begun on the Canal street shell roads.

One of our Administrators, who takes great interest in rowing regattas, says that he is anxious for pay day to come around soon.

It seems that he took too many tickets in the pools, which by the way he offers to dispose of at a great discount. He bears his defeat manfully and cheerfully, however, and thinks that he will have better luck next time.

THE GRAIN RAILROAD.

The laying of the track of the grain trade railroad on the levee has begun in earnest, the contractors having already completed the grading on several blocks and laid the rails from Race to Orange street.

Major Burke was at the City Hall on Wednesday morning. He says that prior to beginning the reconstruction of the building on Camp street, complained of by Mr. Ott, the specifications and bids had been submitted to the proper city authorities, who had approved them.

Since writing the above Surveyor d'Hemecourt has made a report in writing regarding this matter, in which the Surveyor asserts that the work on the building consists of repairs and is in accordance with his interpretation of the law. The building it seems has been raised from the ground to a high brick foundation and is to be roofed with slate, and in every respect the repairs will tend to reduce the fire risks on the property.

Sam P. Blanc, Esq., attorney for the

SUGAR SHED COMPANY,

was in conference with the Mayor yesterday relative to the matters at issue between the company and the city. The object of Mr. Blanc was to propose and ask for concessions in order that the matter might be amicably and equitably arranged. Mayor Pilsbury, while maintaining a firm stand against the charges which have been made by the company for sheltering sugar and molasses, nevertheless promised that he would give due consideration to the arguments of Mr. Blanc, and it is probable that within a day or two the matter will be settled. Judging from the tone in which the Mayor speaks, there is no danger that he will depart from a strict compliance with the law.

The ladies of the Crescent City Relief Association will be pleased to see their friends at the entertainment of the Vandry Rifles on the 16th inst., at Carrollton Gardens.

THE PAST UNEARTHED.

A TALE OF MURDER AND OF MISSING RECORDS.

Justice Awake and on the Track of the Red-Handed Fugitive.

Probably the most important public records in this parish are the books and papers connected with the coroner's office. As every one knows, they contain the first and sometimes the last evidences of foul play, and are in many instances necessary in order to fasten guilt upon the perpetrators of crime, who are brought to justice months and often years after the deed has been committed.

How often does it happen that

A BRUTAL MURDER

is committed by an unknown hand, and years afterwards, when the murderer considers himself secure, a spark of light gives the first faint glow to the bright light of truth that shows up the criminal, witnesses spring forth as if they had been laying in ambush for years, and justice finds her own. The most important witnesses in these cases are the books of record in the Coroner's office, for they establish where and by what means the victim came to his death. When these sacred records are destroyed or stolen, as in the case we are about to recite, the wheels of justice are clogged, if not altogether stopped.

It is natural to suppose that parties interested would, if the opportunity offered,

COMMIT A BURGLARY

to gain possession of the documents, and for that reason these records should be kept in an iron burglar proof vault, and not in an old armoir, as they have been and are still kept.

Particular reference is made here to the condition of the books of the Coroner's office of the Second and Third Districts during a few years past, some of which have been stolen and defaced in one important instance that we know of. In looking over the book of inquests held during the administration of Dr. James Jackson, in the year 1871, it was discovered that a leaf, containing pages 301 and 302, had been

CUT OR TORN OUT

and the blotter for the month of May, 1871, was not to be found. It was evident that the missing page contained an inquest held between the 19th and 23d days of May, 1871, as page 300 was an inquest held on the 19th and page 303 of one on the 23d. A visit was made to this office and the old books were overhauled in the presence of Dr. Bezou, the deputy of the present Coroner, Dr. Rance, for the purpose of ascertaining what disposition had been made in the case of

NICHOLAS M'EVOY,

who was murdered at the Fire Proof Coffee House in the year 1871 by Thomas Delaney. The day and month were not known, and, not being able to find the index to the book for that year, it was necessary to examine every leaf. After a careful and thorough examination the inquest held over the body of McEvoy could not be found.

A pile of index books were taken from the armoir, and after running over some eight or ten of them the name of Nicholas McEvoy was found, and on the same line was the No. 301. This fact

CONFIRMED THE SUSPICION

the missing leaf contained the proces verbal and certificate of Dr. J. B. Cooper, ex-city physician in the McEvoy murder case, which had

EVIDENTLY BEEN STOLEN

by some interested person or persons.

The discovery was made but a few days ago, and, therefore, it is impossible to state who was the custodian of these books at the time the robbery was committed, as since the date of the murder the office has been occupied by Dr. Jackson, John Grayer, Esq., Dr. De Blanc, and at present by Dr. Rance. The coroners, besides their regular inquest books, were in the habit of

KEEPING A BLOTTER

in which they entered up cases as soon as they came to their knowledge. These blotters are small three quire books containing the business connected with the office, and are generally supposed to last about three months. As it was impossible to glean any information other than the clue of the name having been indexed for the missing leaf, these blotters were overhauled, thinking that the thief might have overlooked that book, but it was nowhere to be found, and it is evident that it was carried off by the same party.

It was more by chance than anything else that the name was in the index, as that book was found with a lot of old books entirely separated from the book of inquests that it referred to, and it is more than likely that the thief could not find it when he made away with everything else that would fasten guilt upon

THOMAS DELANEY,

the party charged with the murder.

It is known that Dr. Jackson made his affidavit against Delaney before the Third Municipal Police Court, charging him with the murder, and filed there the original testimony taken at the inquest to substantiate his charge. Delaney made his escape at the time, and, as he was never arrested, the case rested there, and as the papers were supposed to be in the custody of that court until it was disposed of, a visit was made to the old court-house on Elysian Fields street.

The old papers and affidavits were overhauled, but no trace could be found of the missing papers, and it is evident that they

ALSO WERE STOLEN

in the same way as the books of the coroner, by parties who desired to shield Delaney. In order to ascertain positively whether such was the case, the clerk in Judge Miltenberger's court was questioned, and he stated that after the law was passed creating two Recorders' courts for the city, he received seven untried cases from the late Third Municipal Court, and the case against Delaney was not

AMONG THE NUMBER.

Had the papers been kept as they should have been, and not stolen as they were, this case, which was never heard from, would have been transferred to Judge Miltenberger with the other unfinished business.

These facts being made known to Chief Boylan, he called on Capt. O'Neil and requested him to transfer to him all books connected with the Fifth Station for that year, in order to learn what report had been made of the murder by the police, but the book containing the desired information could not be found. All public records connected with this important case

HAVE BEEN DESTROYED,

and it was necessary, as a last resort, to refer to the old files of the daily papers of that year in order to ascertain the circumstances connected with this bloody tragedy.

Delaney was evidently informed that the papers were destroyed, and thought that the case had been forgotten forever, as he returned to New Orleans about two years ago and has resided here up to within a few days, when he left the city to make a trip on a steamboat. He is a cotton screwer by trade, but when work is scarce during the summer he is in the habit of working on the river.

Coroner James T. Jackson, on the morning of the 26th of May, 1871, concluded the inquest and the jury rendered

THE FOLLOWING VERDICT,

which was entered on the leaf stolen from the coroner's office:

State of Louisiana, parish of Orleans, city of New Orleans—An inquest held on the 23d day of May, in the year of our Lord eighteen hundred and seventy-one, before me, James T. Jackson, Coroner for said parish of Orleans, on the view of the dead body of Nicholas McEvoy, aged 33 years, a native of Ireland, then and there lying dead at 17 Spain street.

The jurors, whose names are hereunto subscribed, having been duly sworn and charged diligently to inquire, on behalf of the State of Louisiana, how, when and after what means the said McEvoy came to his death, and upon their oaths do say that this day the body of the said Nicholas McEvoy was found dead at the above described place, and after viewing the body of said Nicholas McEvoy, and after a post mortem examination made by Dr. J. B. Cooper, City Physician, and evidence elicited in the case, we, the jurors, give a verdict that he came to his death on or about twenty minutes to 11 p. m., on the twenty-second day of May, 1871, by a stab wound with some sharp cutting instrument, the instrument entering the body some five inches below the nipple of the left side, passing through the stomach.

The above mentioned stab is supposed to have been inflicted by one Thomas Delaney.

In testimony whereof, the said coroner and jurors of this inquest have hereunto subscribed their names, the day and year aforesaid.

JO E HEYDEN,
ALBERT SCHLESSINGER,
JOSEPH LURBASQUETA,
PAT TOOLE, } Jury.
JAS. R. JACKSON, M. D.,
Coroner Second and Third Districts.

THE MURDER.

Many of our readers have doubtless forgotten the circumstances connected with the murder of Nicholas McEvoy, which occurred on the afternoon of the 22d of May, 1871,

OVER SIX YEARS AGO,

at the Fire Proof Coffeehouse of Mr. William Swan, at the corner of Levee and Marigny streets.

There are many citizens, residents of the Third District, who remember the occurrence until this day, but it would not be altogether out of the way at this time, owing to the recent developments made, to give our readers

A HISTORY OF THE CASE.

On the afternoon in question, two men, names unknown, entered the coffeehouse of Mr. Swan, and after taking a drink they commenced sparring. Mr. Swan asked them to go out on the banquette if they insisted upon sparring. They thereupon went out, and when they reached the sidewalk they continued to spar, and at the same time a man named

NICHOLAS M'EVOY

came riding down in a cab, stopped and asked what was the matter. McEvoy seemed to be somewhat under the influence of liquor at the time.

The parties stopped sparring, and he invited them into the bar-room to take a drink. Before taking the drink one of the parties renewed the sparring at the bar. McEvoy, the deceased, told them to stop it, that he would fight him for $10, meaning his friend, at the same time throwing his money behind the bar, and saying that he could whip or fight him or any other s— b— around the corner. His friend paid no attention to him, as he was drunk, and the matter was dropped. McEvoy and another party went down to the middle of the bar to take a drink, when Delaney, who was

PERFECTLY SOBER,

called Mr. Swan to the end of the bar and asked him if McEvoy alluded to him as one of the parties that he could whip. Mr. Swan told him that, if McEvoy was alluding to him, not to pay any attention to him, because he was under the influence of liquor, as was also the party who was drinking with him.

Mr. Swan left Delaney and went to wait on McEvoy and his friend, who were standing at the bar fully ten feet from Delaney. While Mr. Swan was serving the drinks

DELANEY WALKED UP

to McEvoy and asked him what he meant by saying that he could whip any man around the corner. He received for an answer a blow in the face with the fist from McEvoy, followed up by two or three more blows. Mr. Swan jumped from behind the bar, got between the parties and separated them. He walked back towards the rear of the house with McEvoy, and when they reached the door of the card room, Delaney threw a tumbler, which

STRUCK M'EVOY

in the head, inflicting an ugly gash. Mr. Swan turned around to see who had fired the tumbler, and in doing so he received a blow in the eye with a tumbler. He then caught young Delaney by the shoulders and threw him out of the door into the gutter. Delaney got up, went across the street and returned again to the coffeehouse. When he got to the door Mr. Swan took him by the shoulder, and seeing Officer Engel standing near the door he told him to arrest Delaney, that he would make a charge against him. The officer made some remark as if he did not care about

MAKING THE ARREST,

and let him pass on. Mr. Swan then asked him to come into the house and arrest a party named Quickley. He came in and walked back into the card-room, where Mr. Swan pointed Quickley out as the man he wanted to have arrested. A scuffle took place in the bar-room, and when Mr. Swan heard the noise he left the prisoner in charge of the officer and went into the bar-room to see what was the matter. When he entered

HE SAW DELANEY

with a knife similar to a shoemaker's knife, and believing that he wanted to use it on him, he started for behind the bar to get some weapon for self-defense in case of an attack. He was prevented by his brother from arming himself, and when he turned to go back again McEvoy came out of the card-room saying,

"BILL, HE HAS CUT ME."

and then left the coffeehouse for the drug store. Delaney was seen to enter the card-room where McEvoy was quietly washing the blood from his head, and in a few minutes McEvoy came out and said that Delaney had cut him. Delaney came out immediately after having committed the deed, and was seen to rush out of the door and down the levee, where he was

LOST TO SIGHT.

Officer Engel saw him running down the levee after he had given McEvoy his death wound, and for not attempting to make the arrest was tried before the Police Board after the death of McEvoy and was

DISMISSED THE FORCE.

The wounded man was taken to the Fifth Precinct Station, and thence to his residence, No. 17 Spain street, where he died six hours afterward. He was attended by Dr. Cooper, City Physician, who gave the following

CERTIFICATE OF DEATH:

SURVEYOR'S OFFICE, MILITARY DISTRICT,
New Orleans, May 23, 1871.

At a post mortem, held this 23d day of May, 1871, on the body of Nicholas McEvoy, a native of Ireland, aged thirty-three years, lying at No. 17 Spain street, in the Third District, city of New Orleans, death was found to have been caused by a stab from some sharp, cutting instrument, entering the body some five inches below the nipple of the left side, passing through the stomach, causing internal hemorrhage and death in about six hours after receiving the wound.

J. B. COOPER, M. D., City Physician.

It was ascertained afterward that Delaney, after the officer went into the coffee-house, walked up Levee street, and when near the corner of Elysian Fields entered the shoe shop of Mr. John J. Arno, where he armed himself with a shoemaker's knife and returned to the scene of the difficulty after everything was quiet and stabbed McEvoy. In his hurry to make his escape he

DROPPED THE KNIFE,

which was identified by the shoemaker's wife as the one that Delaney armed himself with when he entered her husband's shop.

The following witnesses were examined at the inquest: Officer Engel, Wm. Swan, Thomas Hill, John J. Arno, Thomas Quickley, Daniel Burns and others.

THE FRENCH SHARPSHOOTERS.

Our French fellow-citizens having completed the organization of their military company, under the title of the "Francs-Tireurs d'Orleans," will make their first parade on Sunday evening next, after the benediction of their standards, which takes place at the Cathedral at 4:30 p. m. on that day. The ceremonies will be of an imposing character, and we are promised a fine turnout. The uniforms are very handsome, being made after the pattern of those of the French Chasseurs-a-Pied. The company numbers fifty-two privates and four buglars, officered as follows:

Armand Selle, Captain; Alex. Dumestre, Lieutenant; Bernard Maylie, Second Lieutenant; Jean Pujol, Junior Second Lieutenant; Louis Gregoire, Sergeant Major; Jean Lafon, Orderly Sergeant; J. Daverede, First Sergeant; James Faure, Second Sergeant; Oscar Guenaud, Third Sergeant; Albert Dazet, Fourth Sergeant; Sylvain Chanfrau, Standard Bearer; Pierre Setz, Standard Bearer; Corporals—P. Theaux, A. Mahan, A. Luegi, F. Toujan, L. Barthet, V. Brinsolle, P. Tapie, L. St. Upery.

The Regatta Prize.

The winners at the "Riverside" Rowing Regatta which took place on Monday and Tuesday are notified that the prizes will be distributed this evening at 7:30 at Hawkins' club room.

Personal.

Mr. Fred. M. Sholtz, late of the Auditor's office, who has been on a visit to his relatives in Europe, returned to the city on Wednesday.

Buy your buggies and carriages from L. T. Maddux, 35 Carondelet street, near corner Gravier.

A CARD FROM E. L. WEBER.

NEW ORLEANS, Aug. 8, 1877.

Editor Democrat—A statement appeared in yesterday's New Orleans *Times* in reference to a controversy growing out of a personal matter between myself and Mr. F. Reynaud, which is entirely incorrect. To the main issue of the case I will only say that I acted from beginning to the end upon the defensive, and that I propose to refute the same in a day or two by competent authority. Now, as to the duel to have been fought between myself and Mr. Reynaud, I hereby declare upon my honor and those of my seconds, who are here present to sustain me in this assertion, that I had no hand in the matter of the arrest of Mr. Reynaud, who came down with the parish judge who had the warrants of arrests in his pocket, and who, it is presumed, had Mr. Reynaud arrested that night, whilst I, finding out through one of my seconds that a warrant of arrest was out for me, evaded, with my seconds, an arrest that evening, and was only arrested the following morning, not at the Mobile Railroad depot, but at the Pontchartrain depot, where my seconds and myself had thought best to take the train. My seconds and those of Mr. Reynaud proceeded to the rendezvous appointed. There, after a long and tedious interview, a proposition was made to my seconds by those of Mr. Reynaud, to the effect that "inasmuch as the principals had been prevented, through the intervention of the law from encountering each other, we, the said seconds, *offer* the following proposition as an honorable basis for the adjustment of the controversy existing between the said Felix Reynaud and E. L. Weber." This proposition was a retraction of what I said and did to Mr. Reynaud, and *vice versa*. My seconds signed these propositions as they understood them; that if I refused to accept them they would meet Mr. Reynaud's seconds yesterday morning, signifying the same to him; that they were to be null and void and destroyed. My seconds, when meeting Mr. Reynaud's seconds this morning, were informed that they (Mr. Reynaud's seconds) had understood that the propositions, whether accepted by one party or the other, were binding and ended the matter at issue. Upon hearing of this decision I immediately asked my seconds to explain the case as they had understood it, and they in person waited upon Mr. Reynaud with the following statements, which he refused to accept:

NEW ORLEANS, LA., Aug. 8, 1877.

Mr. Felix Reynaud:

Sir—We have met your seconds on the ground appointed. They offered us propositions in writing which were to hold good and be final in case they were accepted by either party; we were to meet your seconds this morning, destroy the same, anddeclare them null and void. Meeting your secondsthis morning, they declared to us that they understood the propositions to be binding if accepted by one or the other party, and to put an end to the controversy. Knowing that these propositions are repugnant to Mr. Weber, that he has no desire to retract anything he did or said; to appear as the aggressor when he was acting in self-defense; we hereby withdraw this document, as also our signatures attached thereto.

Respectfully,

NEW ORLEANS, LA., August 7, 1877.

Mr. Felix Reynaud:

Sir—As there seems to be some misunderstanding in reference to the propositions submitted by your seconds to mine, I hereby notify you that my seconds were not authorized to make or accept any propositions; that in formally accepting them it was with the distinct understanding if I rejected them they would be destroyed, set aside and declared null and void, and I now most peremptorily reject the same, and further declare myself ready to meet you as first arranged.

E. L. WEBER.

Thus it will be seen that Mr. Reynaud has positively refused to adhere to what he has agreed and has left for his home at Donaldsonville yesterday evening without giving me any satisfaction. I had not intended to resort to a newspaper controversy, nor indeed, to have mentioned anything in connection with this matter in the newspaper, but as the case has been incorrectly stated by Mr. Reynaud, I beg space in your columns to correct the same.

Respectfully,
E. L. WEBER.

THE BOARD OF ENGINEERS.

The Board of State Engineers, comprising Messrs. Hardee, Richardson and Herrod, returned to this city, in their sail boat, from

A THREE WEEKS' INSPECTION

of the levees on both banks of the river above the city to the Mississippi and Arkansas lines and will probably to-day start for a week's sail down the river to inspect the levees below.

They find some of the levees in a terribly bad condition, needing immediate repairs, and will, upon their return to the city, make estimates for all construction and repairs necessary.

THE GIRLS GOT THE BEST OF HIM.

At 8 o'clock last night the crowd of human bees that usually frequent Magazine street, in the vicinity of Jackson, for an evening promenade, were thrown into quite a consternation by seeing two gushing females approach a young man, and after speaking to him, saw one of them draw a rattan and thrash him soundly with it.

While the one was laying it to this species of humanity, the other drove away the monotony of the entertainment by saying, "Warm him well, Georgia!"

The chap finding the two girls more than he bargained for, took leg bail and was soon lost to sight. Owing to his hasty retreat his name could not be ascertained.

By What Right.

Yesterday an affidavit was made against one John Kister, charging him with having stolen a certain amount of money from a man named Fred Miller.

A DEMOCRAT reporter visited the First Municipal Police Court, which is presided over by his Honor S. J. N. Smith, for the purpose of getting a copy of the affidavit.

When our reporter asked to be allowed to see the affidavit he was peremptorily refused by the Recorder. His Honor offered no excuse for the refusal, but said that he did n t care what the press said about him, as it would have no more effect upon him than pouring water on a duck's back.

This is not the first time that Judge Smith has done this thing. We will see how long he will be able to keep public records from the eyes of the public, who have a right to know what is going on in his court.

A Deserved Tribute.

The DEMOCRAT office, last evening, received a serenade from the band of that gallant company, Company A, Orleans Battalion of Artillery, behind which, in their tasty uniforms, a full command kept in step. The occasion of last night's turnout was the presentation to their commander, the spirited Capt. E. A. Ducros, of a sword from the boys who follow him.

The sword was a neat and appropriate present. It was of the late regulation size, with nickel-plated scabbard, gilt ornaments and highly engraved. The company then proceeded to Capt. Ducros' residence, No. 123 St. Philip street, and appropriate speeches were made and the captain made happy.

Brevities.

Mechanic Fire Company No. 6 left last night for Vicksburg, taking the Jackson line.

The old bonds passed upon Tuesday by the Funding Board amounted to $493,496, equal to $296,086 new consols.

Miss Emmie Wilmot, the leading lady at the Academy last season, having closed her engagements with our amateur clubs, will leave for New York in a few days.

A paper, which is nameless, asserts that the night blooming cereus is fragrant, without even asking Roundabout.

James O'Donnell, champion single scull, was one of the departures via the Great Jackson Railroad last evening. He goes to take a hand in the regatta at Detroit, Mich.

We learn that Prof. J. T. Clark proposes to give, on next Friday, Saturday and Sunday, an exhibition of his acquatic abilities at the New Lake End. He will eat, drink and smoke beneath the surface of the water.

Short Items.

Officer Leningan shot and killed a mad dog yesterday at the corner of Euphrosine and Rampart streets, the animal having bitten a child.

L. Graybal was arrested and locked up in the Second Precinct Station, charged with the crime of larceny by A. P. Cason.

Eleven dogs died from poisoned sausages last night.

Emma Duncan, a seamstress, was arrested at No. 247 Gravier street and lodged in the Central Station, charged with the larceny of a five dollar bill.

Aid F. O. Minor will reach this city Saturday, bringing in his custody Edward Fulton and Laun, the former for embezzlement of State taxes while tax collector of the First District, and the latter for the embezzlement of funds while in the firm of Carr & Laun.

Railroad Personals.

BY THE JACKSON ROUTE.

The departures by this route were: F. M. Zeigler, of Schmidt & Zeigler, Miss F. M. Zeigler, Miss Marie Zeigler, Master Charles Zeigler, Master Fred Zeigler, Master Frank Zeigler and servants, for Niagara Falls and the East; Capt. Sam Bond, for Washington; N. C. Folger, for St. Louis; Mrs. J. A. Robinson, Mrs. Chas. B. Singleton and party of six, S. W. Blaisdell and family, for San Francisco; R. W. Mapskey, for New York; J. M. Morten and wife, Boston; G. W. Dunnell and C. P. Hyams, for Chicago; A. Richard and A. Mann, for New York; G. T. Webber, for Boston.

BY THE MOBILE ROUTE.

The departures by the Mobile line on Wednesday were:

J. H. Kabao, wife and sister, Miss Lucy Caldwell, and C. H. Peck and family, for St. Louis; Domingo Silva and S. W. Plume of the United States of Colombia, Mrs. James Anderson, G. Korn, A. Grima, Henry Abraham, F. Bazan, Master R. Bazan and Miss Julia Crole of Mexico, for New York; Jos. S. Doane and wife, for Niagara Falls; Manuel Gonzales, for San Francisco; W. P. Rayne, for Washington; Miss Anderson, for Philadelphia; Frank A. Lee, J. H. Evans, John M. Colby and sister, for Chicago; C. B. Bayne and Miss Bayne, for Alexandria, Va.; Robt. Moore and party, W. P. Cottle and family and Wm. Foster, for Point Clear; Judge W. H. Wyly, for Greenbrier White Sulphur Springs; T. H. Fletcher and wife, for Warm Springs, N. C.; Mrs. J. Rochester, for Louisville; Col. E. D. Frost, for Rome, Ga.; John Sutcliffe and wife, for Nashville, Tenn.; F. H. Frazier and wife, for Richmond, Va.; W. Harris, for New York.

THE COURTS.

Third District Court.

The following reasons for judgment was delivered yesterday by Judge Monroe, in the case of the State ex rel. Bonneion vs. the First Justice of the Peace:

This is an application for a writ of prohibition to restrain the First Justice of the Peace from further proceeding in the matter of Mrs. Ballester vs. relator.

In the suit referred to the plaintiff sued for possession of leased premises. Judgment was rendered in her favor, in presence of all parties, June 9, 1877; notice of judgment was served June 11. On the 12th a motion for a new trial was made returnable June 16th. On that day the motion was continued to the 21st. In the meantime, 19th of June, a bond was filed by defendant, and a suspensive appeal granted by the justice, which, on motion of defendant's counsel, was dismissed June 23, 1877.

The grounds of application for the writ of prohibition are that the appeal bond was conditional as the law requires, and was filed within the legal delay, and that the appeal was improperly dismissed.

The defendant in this proceeding denies that the bond was filed on the appeal applied for in time to entitle relator to the appeal, and he further denies that the bond is such as the law requires, and that the surety is solvent, and avers that there was no error in the judgment dismissing the appeal. The only point insisted upon in this court is that the appeal was not applied for and the bond was not filed within the delay provided by law.

Concerning the time within which the appeal shall be taken, art. 1131 C. P. provides that the motion for appeal shall be taken within three days after the judgment. Art. 1133, after providing in general terms for appeals which may be taken within twelve months, provides for the parish of Orleans that it be done after the expirations of the judicial days from the rendering of the judgment and its notification to the party cast. See also C. P. 1139.

It will thus be seen that the Code of Practice provides in express terms that no appeal from the judgment of the justice of the peace shall stay execution unless taken within three days after the judgment or its notification (as the law may be), and in the parish of Orleans, that no appeal shall be allowed unless taken within ten judicial days. There is no exception to this rule contained in the Code, and the curious student may search this law in vain for any provision concerning motions for new trials.

Turning to the Revised Statutes of 1873 we find section 2008 contains a mere provision as to the time within which an appeal may be allowed, as is contained in the proviso in article 1133, C. P., and the same prohibition, to wit: That no appeal shall be allowed after ten judicial days. See also sections 2081—2088. This last section contains the only trace which is there to be found the subject of applications for new trials before Justices of the Peace, and in connection with the article of the Code of Practice and with the other provisions of the Revised Statutes already quoted, that justify the inference that it was intended to extend the time within which appeals may be taken so as to stay execution.

Even if the Revised Statutes contained an express provision to the effect that an appeal should stay execution, if taken after the expiration of the three days provided for by the Code of Practice, provided a motion for a new trial had been made within said three days it is difficult to perceive how the courts could give effect to such a clause, since it would be in direct conflict with the provisions of the Code of Practice, and we should therefore be within the meaning of section 399, Revised Statutes, [illegible] which cases the Code must govern.

The difficulty, however, does not present itself in this case for the application for a new trial, like the right to take a suspensive appeal, is limited to the three days mentioned in the Code.

For these reasons the writ herein issued must be dismissed at the costs of the relator.

Sixth District Court.

In the case of Importers' Bonded Warehouse, the state of Louisiana ex rel. [illegible] Bermudez vs. H. Tremoulet et al., wh[illegible] lator prayed that C. T. Dugazon and others be prohibited from exercising and acting as directors of the Importers' Bonded Warehouse, and that writ of mandamus issue to R. Tremoulet, as president of said company, to order an election of directors for said company, at which no [illegible] of said persons—Ferguson and others—be candidates, Judge Rightor has ordered that the mandamus applied for be refused, and that the restraining order granted be rescinded, and rescinded, relator to pay costs.

Ed. Ranquetat vs. Widow G. Tournade, Merchants' Mutual Insurance Company garnishee. In the matter of the traverse to answers of garnishee. Judgment in favor of Merchants' Mutual Insurance Company, garnishee, rejecting plaintiff's demand with costs of suit.

Victor Turon vs. Oscar Daspit.—Rule for new trial discharged.

Henry Florence vs. Louisiana Cotton Tie Company.—Rule for new trial discharged.

A. Rochereau vs. B. Tiblier, city of New Orleans, intervenor.—Judgment in favor of city of New Orleans, intervenor, for $100, amount due said defendant for license as wholesale liquor dealer.

A number of Spaniards are in south Florida purchasing beef cattle for Cuban market. They are well provided with money and pay liberal prices.

The canal at Augusta, Ga., is navigable by boats propelled by steam and there is every evidence that the system of canal boat propulsion is a success.

Increase of coal production over last year, twenty-eight per cent.

A rare musical treat is in store for those who attend the entertainment of the Vandry Rifles on the 16th inst.