

A MIXED QUESTION.

ONE IN WHICH THE COLORED BROTHER TAKES AN INTEREST.

AS WAS SHOWN AT THE BAPTIST CHURCH MEETING WEDNESDAY NIGHT.

Pinchback returned from his trip to Chicago and the Northern watering places a day or two ago, and on Wednesday night addressed a meeting of the MIXED SCHOOL AGITATORS, at the First Mission Baptist Church, on Common street.

FROM THE SOUTH ON EVERYBODY.

A committee was appointed to draft suitable resolutions, which with the report of the committee were adopted, as follows:

1. Resolved, That we view with alarm the action of the Board of School Directors for the parish of Orleans in separating the public schools, thereby drawing a color line, detrimental to the colored children of this State, in violation of the fundamental and sacred principles of the constitution of the United States, and in contravention to the constitutional and statutory law of our State.

2. That the actions of the school board are contrary to the sentiment of the Democratic platform, and a base violation of the pledges made by that party during our late campaign.

3. That we condemn the violators of the sacred trust placed in their hands, and we therefore respectfully ask that they forthwith tender their resignations so that men capable of filling said positions may be appointed.

4. That we see in Mr. G. H. Fayerweather a noble champion of the colored representative and defender of our race and safe custodian of the educational interest of our children; we congratulate and applaud him for his manly defense in opposition to separate schools, and pledge our united support to his noble and patriotic course. We hereby tender to him and his worthy colleagues, Messrs. Martine and Tourne, our grateful thanks, and for whom we offer up our united prayers.

5. That we acknowledge the action taken by these worthy gentlemen known to the committee on public schools, and pledge our united support, morally and otherwise, in the prosecution of the educational rights of our children.

6. That the colored pulpit zealously defend and espouse the rights of the colored people in the common schools, without distinction to race, color or previous condition.

7. That we adopt the Weekly Critic as the organ of this institution, and pledge to it our united support, morally and otherwise. We hereby respectfully submit.

J. H. MADISON, Sec-Officio Chairman; H. C. C. ATSWOOD, Chairman; A. H. NEWTON, Sec-Officio.

After the adoption of the resolutions

A COLLECTION WAS TAKEN UP, and \$21 75 handed over to the treasurer as the result.

SUCCESSION OF FRANCOIS LACROIX.

An Important Decision by the Judge of the Second District Court.

John S. Tully, Esq., Judge ad hoc, yesterday morning read one of the most important opinions ever rendered by a judge sitting on a district bench in the matter of the succession of Francois Lacroix.

Below will be found the decretal part of the judgment.

This case came up on several oppositions to the account filed by the public administrator.

The oppositions that first attracted the attention of the court are those of Ollas, Lacourne, assignee in bankruptcy of F. Edgar Lacroix, natural tutrix of Cecile Lacroix, grand daughter of F. Lacroix.

In these oppositions it is alleged that Mrs. Cecile Edouard, wife of F. Lacroix, died on the day of —, 1856. That at the time of her death she was in possession of a large amount of property, worth over

TWO HUNDRED AND FIFTY THOUSAND DOLLARS, the whole of which was exclusively composed of real estate. That some time previous to the death of his said wife, the deceased being informed that she was afflicted with an incurable disease, and knowing that at her death all his property would be encumbered with a legal mortgage to secure the rights of his two children, J. Victor and Edgar Lacroix, in the succession of their mother, and in order to prevent the said property from being so encumbered, said Francois Lacroix did make a simulated sale of the property belonging to the community existing between him and his wife to his brother, J. A. Lacroix.

These opponents ask the court to declare said sale a simulation.

The court decides the sale to have been a simulation, and maintains the claims mentioned below as being due by the succession—the heirs being entitled only to the legitime. The judge, in his reason, takes occasion to paint a moral, and eloquently sermonizes the son Lacroix, who has attacked the memory of his father. He says:

"The heirs in this case come with bad grace before the court, charging their father and mother with fraud and endeavoring to load them with infamy. They ask the court to scrape from off the sod under which their ancestors remain as lying the veridical which nature has placed thereon, as if to shield them forever from censure and reproach, and to hold their memories up to the public gaze tainted by their own offspring."

"In this cause the son of Francois Lacroix has been mainly instrumental in raising the issue of annulment and fraud against his father. It will, therefore, be with much reluctance that this court will permit proof to be offered for such purposes."

For the reasons assigned in the written opinion of the court, the day delivered and on file, it is ordered that the oppositions filed to the second account and table of distribution of the administrator herein by Mrs. Cecile Edouard Lacroix, on behalf of and as tutrix of her minor child, Marie Cecile Lacroix, and by Charles Lacourne, assignee in bankruptcy of F. Edgar Lacroix, be maintained so far as to recognize the rights and claims of the said Cecile Edouard and Edgar Lacroix as forced heirs of Mrs. Cecile Edouard, third wife of Francois Lacroix; and that as much as they be recognized as creditors of the estate of the late Francois Lacroix, and be paid out of the proceeds of the property described in statement X2, annexed to the opposition of the said minors, as follows:

The minor Cecile Lacroix the sum of \$2387 37 1/2. The assignee, Ollas, Lacourne, \$2387 37 1/2, less the amounts already paid to the said minors and to F. Edgar Lacroix for alimony.

That the said minor and the said assignee be further recognized as direct creditors of the succession of Francois Lacroix for the sum of \$13,990, and that they be placed on the account accordingly.

That the claim of the city of New Orleans for city taxes on the property sold be reduced from \$12,555 75 to \$11,691 55.

That the claim of the city of New Orleans for city taxes on property inventoried and unsold, say \$5249 63, be recognized as due by the estate, with privilege on the proceeds of said property when sold.

That the rights of the city of New Orleans to be paid for city taxes on property not inventoried and unsold, say \$10,547 22, be reserved until the said property is inventoried, sold and a final account filed in this case.

That the opposition of the city of New Orleans, claiming \$221, balance due for drainage on property sold with privilege on its proceeds, be maintained so far as to order that the sum be paid

only to the extent of the net balance of the proceeds of each separate property sold, after deducting State and city taxes, and the balance, if any, be put on the account and table as an ordinary claim.

That the rights of the city for the drainage tax on the unsold property be reserved, to be paid by preference out of the proceeds of the said property when sold.

That the opposition of St. Cyr be maintained, so as to allow him the sum of \$60 in addition to the amount for which he is placed on the account, to be paid by preference.

That the following claims be erased from the said account as privilege claims, and placed thereon as ordinary claims: H. J. Lacroix, for \$150; Citizens' Bank, for \$900 53; G. Filard, for \$75.

That the following obligations be maintained so far as to recognize the opponents as ordinary creditors of the estate of Francois Lacroix, and to order them to be placed on the said account in the following amounts:

Table listing names and amounts: J. L. Tinet and E. Hernandez, \$3,000 00; Simonon Deliden, 500 00; J. McConnel, 1,300 00; McGloin & Nixon, 400 00; Charles Louque, 400 00; E. Hernandez, 50 00; J. Taylor, 250 00; Demorelle & Gex, 85 50; John J. O'Brien, 61 67; A. D. Dorcourt, 813 75; Heirs of John Slidell, 100 00; L. J. & Co., 2,400 00; Succession of E. Cordevielle, 1,784 50; Succession of E. Cordevielle, 135 00; Dr. H. de Rance, 150 00; D. A. Landry, 150 00.

The two last in addition to the amount for which they are placed on the account.

That the following claims placed on the table be stricken therefrom, viz: V. Guillaume, for 475 50; F. Kruss or Grass, for \$203.

That the oppositions of the succession of Zolot and that of Adrien Bonnet be dismissed.

That the several oppositions filed herein be maintained so far only as they are in accord with the foregoing, and in all other respects be dismissed.

That the experts appointed by this court herein be placed on the account as a privilege claim for the amount allowed them by previous judgment of this court, say \$1500.

That the cost of the stenographer herein, amounting to \$137 80, be also placed on said account as a privilege claim.

It is further ordered that the said second provisional account and table of distribution be amended accordingly, and that the same be approved and homologated, and the funds in the hands of the administrator distributed accordingly.

THE BOARD OF HEALTH.

At half past 7 o'clock President Choppin called the board to order. Present—Drs. Jones, Lecher, Toney, Taylor, Austin and Messrs. Nott and Hardie.

After reading the minutes Col. Hardie stated that the amount of repairs necessary at the Mississippi Quarantine Station had been fully appropriated and audited by the City Council and the matter adjourned.

The report of the Colonel was received and adopted.

Major J. E. Austin, the attorney of the board, was then called upon to express his opinion relative to the decision recently rendered in the collection of quarantine dues at the stations. He urged the necessity of pushing the collection of these dues, as schooners had been exceedingly lax in their settlement. He further said that as regards the Alchabain station, inasmuch as an injunction had been obtained in the United States court, a Mr. Levy, the attorney of Mr. Morgan, had agreed to file a supplemental bill, in which all the issues would be brought before that court, and then be made void by settlement.

Dr. Austin said that under the present regulations the permits were not collected regularly from schooners arriving in the New Basin.

President Choppin stated that it was impossible to collect the dues or permits at the present time, which would require an additional expenditure to enforce such collection.

On motion of Dr. Austin it was resolved that the president be empowered to negotiate with the Board of Health of Mobile, inquiring why the permit had almost left quarantine, and that up to the present time there had been only two deaths.

President Choppin stated that he had addressed a letter to the Board of Health of Mobile, asking as to what measures of protection they had taken relative to infected ports.

Dr. Austin said that he could give some information on the subject. Dr. Ketchum showed the Board of Health of Mobile, inquiring why the strict quarantine had been kept against all vessels arriving from Fernandina.

Dr. Austin offered a resolution that the secretary should write a letter to the president of the Board of Health of Mobile, inquiring why the steamer Alabama had been allowed permits, unattended, to pass without detention, when these passes were given without knowing whether there was disease on board or not. Adopted.

On motion the board read the following letter: "Dear Sir—The captain of the brig Iconia complains bitterly of the delay and expense (\$22 50) for fumigating his vessel at quarantine, and he requests the board to have thought best as to bringing the matter to the case before your board for consideration."

"This brig cleared from Rio on the 31st of July last. As that month in Rio corresponds to January of this year, the vessel left Rio in the middle of winter. She sailed August 2, and arrived at the port September 17th, being out 46 days, during which time the captain states that he had no sickness on board, and that all hands were well when he arrived at Quarantine Station."

"If the latter fact is stated correctly it seems to me that there was no good reason for the detention and fumigation of the ship, and I trust that the bill may be 'razed' and only usual 'quarantine fees' charged, each vessel as it determines to importers as well as ships, and while all ought to be willing to submit cheerfully to necessary quarantine regulations, on the other hand, only those that are necessary ought to be imposed."

Yours respectfully, L. H. TERRY.

"Agent for E. D. Morgan and of Ferry Islands."

Col. Hardie called the attention of the board to the trips of packets down to the Quarantine Station of the boats whether there was not some danger from these means of intercourse.

President Choppin replied that the boats plying between Quarantine Station on the river in the coast trade, in his opinion, were not liable to the same danger as the boats that ply between there and a long distance over the matter, and after a motion it was referred to the appropriate committee.

The question of collection of dues again came up, and a motion of Dr. Austin, which was precluded by some remarks from Mr. Nott, complaining against the lack of the collection against river packets, the board resolved to look into the matter in the future and inquire into the management of quarantine affairs below the city.

The president of the board during a short session of business took the occasion to say that as yet yellow fever had not made its appearance in our city, and that the Board of Health would use its utmost endeavors to prevent its encroachment.

A desultory conversation ensued between the several members of the board, after which they went into executive session.

THE PARK TAXES.

It appears that the collection of the city taxes for 1876 and previous years is threatened with complications arising from the contradictory legislation concerning the Superior District Court.

There are now in the hands of the Civil Sheriff for execution several thousand writs of fieri facias, issued by that court. These writs the sheriff is attempting to enforce by advertisement and sale, but he is met in each case by injunctions taken on the ground that these writs are null and of no effect, as emanating from a court which has no existence. The parties claiming such writs question whether a sale made by the sheriff under the circumstances would be valid in law. The question appears to be serious, both as regards the delay in the collection of taxes and the diffidence of buyers where they do not see their title perfectly clear.

We think the sooner it is decided by the courts the better it will be for all.

Ferri Soapina.

Ask for Soapina and you will get the best soap. Soapina containing no rosin is the best soap for washing woolen goods, can be found at 110 Gravier street.

MUNICIPAL MATTERS.

THE OBSTRUCTIONS ON ELYSIAN FIELDS STREET.

Regarding the obstructions on Elysian Fields street, placed there by the Mobile Railroad Company (who own the Pontchartrain Railroad), the Surveyor reports that the company have not yet removed them, claiming, as we understand it, that the tract of land upon which the road is laid belongs to them.

The facts are, according to the Surveyor's statement, that the tract originally belonged to the late Bernard Marrey, who converted it into the "Elysian Fields" for the use of the public. Subsequently Mr. Marrey transferred the tract for the use of the Pontchartrain Railroad (with the exception of the tract which was reserved for the use of the public, and the transfer being confirmed by the City Council with the understanding that it should be for railroad purposes and conditioned that nothing should be done by the company that might interfere with the convenience of the public, and it is in this last phrase that the Mayor and Surveyor claim the present transferes bound to remove the obstructions complained of.

The subject having led to the examination of the charter of the Pontchartrain Railroad Company, passed by the Legislature in 1838, it was discovered that the privilege was a perpetual one with the exclusive right of way to the lake for twenty-five years.

THE WATERWORKS COMPANY.

The Mayor has been informed that the first \$300,000 of the capital of the new waterworks company (the amount necessary to authorize the company to organize) have been subscribed, and that the existence of the new corporation is all but accomplished fact. The delay, however, in the execution of the work, inasmuch as one of the large holders of Waterworks bonds to subscribe, it appears that this holder had previously instituted proceedings against the city, in which he claimed a lien on the waterworks property, but lost his suit in the Louisiana State court.

An appeal to the Supreme Court of the United States being taken by him, a contract was entered into between him and his attorney relative to the use of the water, contingent upon the issue of the suit. It being, therefore, necessary for the plaintiff to make a settlement with his counsel when he concluded to abandon his suit, and invest his bonds in the stock of the new company. This has finally been satisfactorily arranged, and before many days we may expect that the company has formally organized under the provisions of the Waterworks act, passed at the last session of the Legislature.

THE WHARVES.

Administrators Cavanaugh and McCaffrey and the Surveyor paid a visit to the river front of the Second and Third Districts yesterday afternoon, the principal object of the visit being the location of the steamship wharf at the head of Esplanade. It being, therefore, necessary for the plaintiff to make a settlement with his counsel when he concluded to abandon his suit, and invest his bonds in the stock of the new company. This has finally been satisfactorily arranged, and before many days we may expect that the company has formally organized under the provisions of the Waterworks act, passed at the last session of the Legislature.

THE SCHOOL TEACHERS.

Yesterday the examination of the applicants for teacher positions in the city schools (the principals and first assistants) closed, the branches in which they were examined being "History of the United States" and "Arithmetic complete." We publish the questions asked with greater pleasure to-day, because the publication of these questions met with such general approval. For the same reasons given in the DEMOCRAT yesterday, there were two sets of questions in each branch. They were as follows:

HISTORY OF THE UNITED STATES.

- 1. Who called down the Mississippi to its mouth, and named the country Louisiana? In whose honor was it so named?
2. Where and by which nations were permanent settlements made in the beginning of the seventeenth century?
3. Give some account of education in the American Colonies.
4. What was the condition of the United States at the close of the Revolutionary War?
5. What was agreed upon by Congress in the "Declaration of Independence"?
6. Give some account of the life, character and public services of Robert E. Lee.

ARITHMETIC.

- 1. When and by whom were the first permanent settlements made in this country prior to the beginning of the seventeenth century?
2. What were the Missouri Compromise?
3. Give some account of the life, character and public services of Stonewall Jackson.
4. What was the result of the following letter: "Dear Sir—The captain of the brig Iconia complains bitterly of the delay and expense (\$22 50) for fumigating his vessel at quarantine, and he requests the board to have thought best as to bringing the matter to the case before your board for consideration."
5. This brig cleared from Rio on the 31st of July last. As that month in Rio corresponds to January of this year, the vessel left Rio in the middle of winter. She sailed August 2, and arrived at the port September 17th, being out 46 days, during which time the captain states that he had no sickness on board, and that all hands were well when he arrived at Quarantine Station.
6. If the latter fact is stated correctly it seems to me that there was no good reason for the detention and fumigation of the ship, and I trust that the bill may be 'razed' and only usual 'quarantine fees' charged, each vessel as it determines to importers as well as ships, and while all ought to be willing to submit cheerfully to necessary quarantine regulations, on the other hand, only those that are necessary ought to be imposed."
7. Yours respectfully, L. H. TERRY.

THAT TIMES INTERVIEW.

The Truth About the Selection of Our School Books.

Last evening a representative of the DEMOCRAT visited the Hon. B. M. Lusher for the purpose of learning something of the seemingly uncalculated aspersions cast upon that well known and conscientious gentleman by some scribbler on the Times. The charges, as laid by that journal of "the most extensive circulation in the Southwest," it appears, lack what in journalism is a mine of strength, and in every day matters is an essential element of power, and that is truth.

The reporter called upon Mr. Lusher at his residence, and was received with due courtesies.

Reporter—Mr. Lusher, it appears from the evening Times that there has been an interview around to see you. Did you notice the article referring to Mr. Lusher's History of Louisiana?

Mr. Lusher—No, sir; I have not seen the article you refer to.

Rep.—Let me, then, read it to you—(reading it).

Mr. L.—The statement made there, with reference to an interview with me, is wholly untrue; the only article of the Times did not mention me, and I refused an interview with him individually, but not with the paper itself.

Rep.—In selecting the history of Mr. John Dimity, by the Board of Education, before its publication, was it not read over in manuscript by the members of the board before its adoption?

Mr. L.—The preface of that history was carefully read at length, and Gov. Nichols was permitted to make them any claims for awards or prizes, and that it would become of this great Republic and the future of long range rifle shooting under the present government of civil service reform.

FURNITURE.—Contents of the three-story brick residence, No. 28 Carondelet street, near St. Joseph, consisting of Victoria bed-room suits, parlor and dining-room suits, crockery, glassware, and other articles, will be sold by public auction, on Friday, September 29, at 11 o'clock, by Messrs. Montgomery.

REMANENT DAY.—To-day Messrs. M. L. Byrne & Co. will have another great sale of remnants at half price. Those of our lady readers who are ever on the watch for bargains should not fail to attend these weekly sales of Messrs. M. L. Byrne & Co., 163 Canal street.

AMUSEMENTS.

We have again to record an increase in the audience at the Academy last evening. "Baby" had decidedly made a hit, although it has taken some time for our people to become satisfied that it was a play worth seeing and interpreted in a manner to make them forget the past delinquencies of the stage in New Orleans.

On Sunday the Park Theatre combination will present for the first time in this city "Felix Dore," a comedy adapted from Albery's celebrated comedy of "Les Dominoes Squares," played so successfully at the Union Square Theatre, New York, after a stupendous run in Paris.

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was an original idea of Mr. Dimity, and hitherto we have had nothing of the kind. Mr. Dimity, while lecturing in South America, designed and executed this work before he entered or thought of being employed in the educational branch of our State government. He carried out his original ideas at length, after his arrival here, and completed the work before he was engaged. Rep.—From your inspection of the book, Mr. Lusher, what is your opinion of its merits? Mr. L.—It is a most charming work, just as the preface itself will show. Our scholars know little or nothing about their own State, and this will be of great service to them. They are not compelled to purchase it, as it is only a work recommended, and its purchase is not compulsory. The children are not forced to take it. Mr. Lusher, after a short conversation, stated that the reason he had refused to respond to the questions propounded by the representative of the Times was not because he intended any discourtesy to that journal, but he preferred some other individual than the person who visited him to question him. It was some time after the reading of the notes of the History of Louisiana that Mr. Dimity was employed to write a similar history for the State of Mississippi for the use of the public schools.

THE CITY RAILROAD TO THE FRONT.

A Complaint Filed Against the Assessment of that Corporation.

The City Railroad Company, through its president, Fred. Wintz, Esq., yesterday filed a suit in the Fifth District Court against the Board of Assessors, praying for a writ of mandamus to be issued.

Relators allege that they are dissatisfied with the amount of assessment upon their capital; that they applied to the Board of Assessors, whereof Hon. J. E. Bengerstorff is the presiding officer, asking for a reduction of said assessment.

That upon refusal of said board to comply with the request of relators they made application for the appointment of experts. Thereupon the Board of Assessors appointed E. A. Falvey, Esq., as their expert, and relators appointed Lionel O. Levy, Esq.

That the experts agreed upon a satisfactory assessment, fixing said assessment at the sum of \$437,152 50, and made a report to the Board of Assessors, and that the assessment was reduced accordingly.

That on the 22d of September, 1877, without cause or reason, the Board of Assessors passed a resolution which, as far as relators can understand the structure, means to reinstate the original assessment, and it stood before the report of the experts. The Board of Assessors have no power to set aside or disregard the report of the expert appointed thereunder, and that they are bound thereon.

That they pray that the mandamus do forthwith issue, directed to J. E. Bengerstorff, Administrator of Assessments, and the presiding officer of the Board of Assessments, commanding them and each of them to reinstate and put down the assessment of the City Railroad Company to the sum of \$437,152 50, or show cause to the contrary; why said mandamus should not be made peremptory.

Judge Rogers granted a rule nisi, and made the same returnable on Tuesday, October 2, 1877.

ISABELLE GONE UP.

The Pension Office scolded by a Department Agent.

Was generally understood last evening that Special Agent Sprague, of the Interior Department at Washington, had

GORBLUED UP THE PENSION OFFICE

and ousted Isabelle, the pension agent, under instructions from Washington.

The DEMOCRAT stated nearly two weeks ago that a Federal official, occupying a remunerative office, would soon be compelled to step down and out, but for obvious reasons did not mention the office nor name, and later the arrest of Elliott gave the public to understand that Isabelle had secured, or had been provided with

A CROOKED BOND.

the sureties upon which in solid so-called sponsors for Isabelle's official action to the tune of \$150,000, and justified in double that amount. The matter was broached a month or more ago, a preliminary investigation made, and a report sent to Washington.

The special agent came next, and now follows the suspension of Isabelle, whose bond, besides being crooked and manufactured partly from out-wit, amounts to \$40,000 all told. A little further investigation located two or three of

THOSE "STRAW" BONDSMEN

right here in the city, and arrests may be looked for at any moment. The power behind Isabelle's throne is very weak just now, even though it be political hacks, and one or two Republican social members of Congress must turn themselves out to make them forget the impression that they have been interested in Isabelle's

HALF A MILLION DOLLARS GONE—But Where, That's the Question.

The Legislative Committee, having in charge the matter of ascertaining how and where all the school taxes collected have gone to during the past seven years, will meet on Monday next at 12 m., when they will hear a report from the expert appointed some months ago. The committee will hear also

SEVERAL INTERESTING REPORTS from the school boards of the various parishes, showing a result of the investigations made in those parishes, and some of these reports will be most interesting reading matter. In one case a deficit of \$3000 is found. In another the parish board report their inability to secure books, papers or attendance from the old treasurer, and they believe that his books are in the city, and he has managed to agree with manufactured vouchers and claims.

Another case is mentioned where, in the settlements of the parish of St. Landry, Ex-Retaining Board Member Tom Anderson, will be called upon to produce vouchers and claims for arrears of \$86,000, to cover the period from 1870 until the Republican office holders went out of position. A careful inspection of the books of the State Treasurer will show that the total amount drawn since the beginning of 1870 is nearly a

HALF MILLION