MUNICIPAL MATTERS.

CHIEF ENGINEER O'CONNOR AND ADMINISTRATOR EDWARDS.

Yesterday at the Council meeting a communication was received from Chief Engineer O'Connor, relating to the matter of the needed repairs to the engine-house of Phœnix Fire Company No. 8, and containing the affidavits of the housekeeper of No. 8 and his two assistants, in which they assert that they never saw Mr. Edwards at the engine-house, nor his superintendent, Capt. Scott, between the 25th September last and the day of the meeting at which Mr. Edwards stamped as false the communication of the officers of No. 8, in which they said that no attention was ever paid to their engine-house by the Administrator, notwithstanding that his attention had been frequently called to its condition.

The unpleasantness seems to have arisen from little or nothing, and if the emphasis with which Mr. Edwards declared that Foreman Brooks' communication was false is excepted, it should have had no serious results. In conversation with Mr. Edwards yesterday he informed us that he had never said that he had examined the building of No. 8, but that he had one morning paid a visit to the spot and taken a general view of the effects of the storm upon the engine-house, which would seem to put the matter in a very different aspect, for the communication of Foreman Brooks was based on his understanding that Mr. Edwards had said that he (Mr. Edwards) had *examined* the building, which he sought to refute by saying in his communication to the Council that no attention had been given to the requests of the company. On the other hand, Capt. Scott says that he has not only visited the engine-house since the 25th of September last but actually made notes of the needed repairs, and even measured the flooring of the house, which requires overhauling. The subject was referred, yesterday, to a committee of three, composed of Administrators McCaffrey, Rengsterff and Diamond, and we have good reason to believe that the dispute is the result of a misunderstanding all around and was not worth the killing of a cat.

As to any repairs being made to the engine-houses now, Mr. Edwards said yesterday at the Council meeting that it was doubtful, for the balance of the appropriation for buildings for this year will be absorbed by the repairing of the House of Refuge.

WHO SHALL BUILD THE BRIDGES?

The city contractors decline to build the bridge crossings along the route of the Crescent City Railroad, on the ground that the railroad company is bound by the terms of its charter to keep these crossings in repair, a fact which the contractors included in the computations before bidding for the street contracts.

On the other hand, the railroad company shows no disposition to attend to the repairs, claiming on their side that they were relieved of the obligation when they agreed to extend the Tchoupitoulas street line of cars. All of which is true as far as it goes, says the Mayor, but that the railroad company have not complied with the obligations of their second contract, in which they bound themselves to extend the Tchoupitoulas street line up to Carrollton, whereas they have not gone any further than the lower limits of the Park, or within about two miles of Carrollton. The Mayor, however, seems disposed to be lenient to the Crescent City Railroad Company, who expected to be able to run their dummies on their upper line, but are impeded in doing so for some reason or another. The dummies are here, but whether their uselessness is due to their construction or the want of right to use the patent, we are not able to say exactly. Meanwhile the question is, what's to be done? Certainly the city cannot be made to bear the expense of keeping in repair the six or seven miles of bridge crossings after the agreement referred to, and on the other hand the contractors declare positively that they won't. All of which makes a nice kettle of fish.

THE PUBLIC SCHOOLS.

We had a little chat with Chief Superintendent Rogers yesterday concerning the public schools, the opening of which was done, in his estimation, under favorable circumstances. He is somewhat assailed by recriminating candidates for teacherships, who failed to be elected, but this little annoyance will, he thinks, be dispelled before many days have gone by. The only difficulty which Mr. Rogers has now to overcome is the drawing of the lines of the school districts, which he finds to be quite a complicated affair, and which must be handled with delicacy and due regard to the feelings of pupils and teachers. For it would seem that during the Radical regime all rules relating to the school districts were violated, and the situation is considerably mixed, the pupils of the schools, in too many cases, with apparent reason, being residents of districts other than those of the schools which they attend.

As to the numerous complaints, to which we have alluded once or twice, regarding the results of the competitive examination, Mr. Rogers says that only in two or three cases were the answers otherwise than as reported by the committee on teachers.

THE WATER RATES.

In saying that the amount of water rents collected since the 1st of October was $94,000 we did so under a misapprehension of facts obtained from Administrator Edwards, which we take the opportunity of correcting, although it is of no material importance. We were led to believe that the figures referred to the water rates of 1877-8, from the fact that during last week the collections were comparatively large, but on investigating the matter yesterday we found that the collections are behind those for the last year. As to the statement of a contemporary that the Mayor discredits the report that there is speculation in Waterworks bonds, with due respect to the Mayor and for the information of our contemporary, we will say that when our insurance companies, with a commendable desire to complete the sum necessary to organize the Waterworks Company, sought to buy the necessary amount of bonds for the purpose they found that even that small amount could not be purchased at such rates as their enterprise justified them in expecting that they could buy them in at. Since then the bondholders have bitten their thumbs in consequence of their mistake, for they now find that arrangements are in course of completion to do without them in the organization of the company.

NOTICE TO TAXPAYERS.

A gentleman, a taxpayer, appeared yesterday morning at the office of Col. Denis, the Administrator of Finance, to ask for an extension of time in the payment of his taxes. It was then a quarter past eleven. Col. Denis, on examining into the matter, to his surprise, learned from his visitor that the property was to be sold at noon under seizure for taxes. The Administrator says that while he is not unmindful of the tightness of the times and the distress which still exists among all classes of the people, still he must not be expected to do unreasonable things. He hopes that in the future those taxpayers who may find themselves in the predicament of his visitor of yesterday will apply some longer time before the sale of their property in order that he may be given the opportunity to weigh their claims to extension with that care and justice which every citizen should expect at his hands.

FLAT-FOOTED REFUSAL TO A LADY.

The Mayor relates a little incident which we have not yet seen in print. The conversation was upon the recent rise in premium bonds. His honor says that at the last premium bond drawing one of our thrifty and lucky school teachers, who had invested her back pay in "premiums," drew a handsome prize. One day, shortly after the occurrence, his honor was visited by an elderly lady, a bondholder, also, who told him that she had been informed of the luck of the school teacher and she had come to obtain the Mayor's assistance in making her win a prize. The Mayor, taken by surprise, nevertheless found enough self-possession to ask the lady what her notions might be as to the manner in which he was to accomplish the feat.

"Put my number on top," she whispered mysteriously in his ear.

This our Mayor declined to do, and sent the lady away after explaining to her that there were some other fellows who had something to do with the putting of the lucky numbers on top.

THE MAYOR ON A RECONNOISANCE.

Mayor Pilsbury improved the shining afternoon hours yesterday by visiting the shores of the Carondelet canal and Bayou St. John as far as the Bridge City Avenue canal, and was surprised to find the latter canal and the Orleans canal emptying into the Bayou St. John, the tall [illegible] machines that used to ex-ist at the bayou having been dammed up in consequence of the operations of act No. 74 of 1858.

The Mayor informed himself personally of everything connected with the relations between the city and the canal company, which he already knew from reports, official and otherwise. We learn, by the way, that one of the first things that he will require the canal company to do will be the abolition of the shell road tolls between Esplanade street and the Marigny canal.

The Mayor's trip was then extended to the steamship wharf at the head of Esplanade street, and thence to the experiment in asphalt pavement, which is being laid on Gravier street, between Wells and Front streets, and which will be ready for travel on Friday next. The street selected for this experiment is well adapted to test the qualities of the pavement, for it is one of the principal avenues to the levee and is traveled over daily in the busy season by numberless vehicles of all descriptions.

THE COST OF THE RADICAL DRAINAGE SYSTEM.

The cost to the city of the works performed, or supposed to have been performed by the Mexican Gulf Canal and Drainage Company, one of the greatest enormities of the Warmoth rule, has never been made public, if our memory serves us correctly. The following figures may, therefore, interest at least a portion of our readers.

In the accounts of the company with the city, which run from July 1, 1871, to May 23, 1876, the end of the *contract*, as it is politely called, we find that the city paid for work done on the first section, comprising that section of the city situated between the New Canal and the Orleans Canal, and including Bayou St. John, Orleans street, Poydras, Galvez and Broad street canals, Carrollton Avenue, Hagan Avenue, Toulouse street and the Spanish Fort, the sum of $362,625.

In the second drainage section, between the New canal and the upper line canal, including the latter canal, Fourteenth street, the lake shore, Melpomene tail race, Dublin Avenue, Tenth street, Claiborne canal, Nashville Avenue and Peters Avenue, the sum of $597,625.

In the third drainage section, between the Orleans canal and People's Avenue, including Marigny canal, London, Broad street, St. Bernard Avenue and People's Avenue canal, the sum of $394,406 50.

In the fourth section, comprising that portion of the city below People's Avenue, $26,343, expended on Florida Avenue, all of which was for dredging.

But as the company charged as much to put the dirt on dry land as they did to dig it up, in accordance with the legislative swindle that created the company, we have the following for what is called protection levees:

First section—Orleans street, $11,670 25.

Second section—For upper line, lake shore, Fourteenth street, Metairie Road, Dublin Avenue, Claiborne street, and repairing break on lake shore levees, the sum of $361,208 78; for grading and bridges, $51,101 39.

Third section—People's Avenue, for dredging, $174,839 55; for bridges, $11,444 37.

Fourth section—Florida Avenue, $8629 50.

RECAPITULATION.

Protection levees	$542,077 83
Grading levees	51 101 39
Bridges	14,126 37
Repairing break	2 000 00
Cost of protection levees	609,905 59
Cost of canal excavation	1,367,829 00
Total	1,977,734 59
Cost of purchase of contract by the city	320,000 00
Total cost of the swindle	$2,297,734 59

A. D. CROSSMAN.

A communication was received by the City Council yesterday from the sexton of the Firemen's Cemetery, informing them that the tomb of the late A. D. Crossman, ex-Mayor of this city, was in a dilapidated condition and required immediate attention. It is hoped that there will be no "two sides to this question," as the deceased was wont to say.

AIR COOLING APPARATUS.

Our fellow-citizen, Mr. E. Fixary, has invented a new process by which the mercury can be brought down to 20 or 25 degrees centigrade below zero during the time taken to bring it down to zero by any other process, and as the temperature for the preservation of vegetable or animal substances must only reach four or five degrees above zero centigrade, that degree will be obtained in less time, with less fuel and labor.

The principal object of this invention is the cooling of air in buildings, cellars, breweries, ships, cars, meat packing establishments, etc., for the preservation of matter in general. It is composed of a series of pipes, either in form of tables or coils, in which circulates a refrigerating body; these plates or coils are surrounded by a radiating cylinder open at both ends, and in combination with an helicoid fan forcing the air rotatorily against the refrigerating surfaces contained in the cylinder or exterior envelope, which is placed inside of an apartment.

It is well known that to effect a rapid cooling of the air it is necessary to agitate it in the interior of the apartment subjected to a cooling process, and also that in using pipes for the circulation of refrigerating bodies the vapors of water, held in suspension by the air, will condense on the refrigerating surfaces and form a coat of snow, which, increasing in thickness, limits the cooling of the air to a few degrees below the freezing point, creating at the same time a damp atmosphere, though after a long operation. This invention is based upon the well known principle that ice being a very slow conductor of a more active refrigerating agent, it is indispensable to prevent the formation of snow or ice upon the pipes in which the refrigerating agent circulates, in order to obtain a very low temperature of dry air; and for this purpose the shaft by which the helicoid fan is made to revolve is armed with brushes or scrapers, so as to cause the snow to be swept off as soon as it is formed on the pipes.

The refrigerating cylinder is placed in the centre of an apartment and so disposed that the cold air is distributed equally all around, so as to displace the warmer air and push it in the direction of the fan that forces it again and again against the refrigerating plates, which plates, being constantly freed of snow, produce an intense and continued cold.

This invention may be adapted with great advantage in breweries and other industrial establishments where vegetable matters are in fermenta ion; in such cases these matters will disengage gases, which will forcibly condense and form into snow upon the pipes, and the snow being removed will leave a dry and pure cold air in the apartment. It may be used for the storing of manufactured ice, with a saving of at least 25 per cent, and also for its preservation in its congealed state. For this a series of pipes placed under the ceiling where the warm air always ascends should be provided with scrapers or brushes, made to be moved by mechanical means, so as to rub off the snow formed on the pipes and make it fall upon the layers of ice, in order to cover it and fill up the interstices between the blocks, so as to make a solid body through which the air cannot circulate. The crystilization of the water not being the same as that of the vapors of water, the solid ice can be separated by layers as it is when stored.

The ordinary way of storing manufactured ice offers many inconveniences: first, the melting of the ice caused by the immediate application of the sawdust, which is at a higher temperature than the ice itself; second, the incrustation of the sawdust into the ice, which gives it a bad appearance and causes a great loss before it is removed; and then the bad taste it gives to the ice, it porous. All these inconveniences can be avoided by using the process above mentioned, which, in this case, may be termed A SNOW AND COLD AIR MILL.

Get your kid gloves at Kreeger's

Read Navra's invitation to the China Palace.

New Parian figures at Offner's, 174 Canal street opposite Varieties Theatre.

Get your kid gloves at Kreeger's.

Read Navra's invitation to the China Palace.

Offner has only one store—174 Canal street, opposite Varieties Theatre.

Elegant furniture for sale at 813 Carondelet street, on account of the departure of J. Y. Dysart. See Albert Paul's advertisement in another column.

Get your kid gloves at Kreeger's.

Read Navra's invitation to the China Palace.

CAPITOL GOSSIP.

GENERAL COMMITTEE WORK—THE PARISHES THAT HAVE NOT REPORTED YET.

Levee Matters—A Forfeit to Accompany Bids Hereafter.

The committee appointed to investigate executive matters met yesterday at the Speaker's room, at the State House. Present, Representatives Jonas, presiding, and Messrs. Huntington and Kennedy.

Nothing was done, however, except to agree upon a plan of investigation, when the committee adjourned until Tuesday, the 30th.

The Educational Committee met also, Judge (Senator) Ogden presiding, and Messrs. Leonhard and Fitzpatrick present. One or two additional reports from the parishes were presented by the expert and were read. The parishes

YET TO HEAR FROM

are the following: Ascension, Assumption, Avoyelles, Bossier, Claiborne, Caldwell, Catahoula, Carroll, Concordia, Cameron, East Baton Rouge, East Feliciana, Franklin, Grant, Iberville, Jefferson, Lafayette, Lafourche, Madison, Morehouse, Natchitoches, Ouachita, Plaquemines, Pointe Coupee, Red River, Sabine, St. Bernard, St. Charles, St. Helena, St. James, St. Martin, Terrebonne, Tangipahoa, Union, Vermilion, West Feliciana and Winn.

The committee has addressed to the school boards

OF EACH PARISH NAMED

a circular informing them that the committee holds their receipt for a registered letter, containing the first instructions sent months since, and ask that the boards reply by furnishing the report desired.

The Treasurer's Committee will meet as soon as the experts complete the necessary data upon which to examine witnesses, and will then, it is thought, make matters a trifle more interesting.

THE AUDITORIAL COMMITTEE

have not been heard from recently, nor has the Land Office Committee. The last named have not as yet secured the data prepared by their late expert, Mr. McCulloh, consequently the labor required to complete that data must be gone over again.

The McHatton levee contract has not been closed as yet, the surety offered not having returned from St. Louis. By reference to our advertising columns it will be seen that the suggestions made by Chief State Engineer Harrod, relative to a forfeit to be deposited when bids are submitted, have been adopted, that determination having been arrived at by the Governor and the board. The

FORFEIT OR DEPOSIT

decided upon must be one cent for each cubic yard of the estimated contents up to ten thousand yards, when an additional quarter of one cent will be required for each additional yard, and this sum to be forfeited to the State in case of the failure of the contractors or bondsmen to qualify within forty-eight hours after adjudication.

This course was decided upon to prevent "straw" bidding in the future, as has been the practice since the estimates were made.

One transfer made seems to have created the impression that it was a "sell out," that of Noian to Downey, but Major Harrod, Chief State Engineer, says, over his own name, that it was not, but that it was a continuation or completion of work done by Downey last year, and is considered in the estimates as unfinished work.

THE ATLANTA FAIR.

STEAM FIRE ENGINE CONTEST—THE "GOULD" VICTORIOUS.

Big Squirts, Little Squirts and a Hose Reel Contest.

Capt. Ed. Flood, of American Hook and Ladder Company No. 2, returned to the city on Sunday from Atlanta, where he went to superintend the trial at the Georgia State fair of one of the "Gould" steam fire engines, which manufactory he represents here.

He brings with him a full history of the trial, which took place at the fair, and as a matter of interest

TO OUR FIREMEN,

we subjoin a synopsis of the history alluded to. The contest occurred on Friday, when the Gould, the Tallulah, was the first tried, she being a second-class in build, raised steam from cold water and forced water through one hundred feet of hose in five minutes and fifteen and a quarter seconds, throwing at the time a stream through a one and three-sixteenth nozzle, two hundred and eighty-four feet. The throw with a full head of steam was three hundred and fifteen feet through one hundred feet of hose.

THE SECOND ENGINE

was of Seiby's manufacture, Seneca Falls, New York, the Mechanics' 2, a first-class in size, she raising steam in seven minutes three and a quarter seconds, and making a throw through a one and three-sixteenth inch nozzle, through 100 feet of hose, of 249 feet.

The third was Oenmulgee 2, built by Harold, of Paterson, N. J., fourth class, but merely contested for steam raising, that being done in 7.08¼, after which she threw a stream 218 feet six inches.

THE REEL RACE

Capt. Flood reports as extremely exciting, there being two entries, the Tallulah and R. E. Lee. The first named being the victor by being pulled 200 yards with 250 feet of hose, which was connected to the steamer, 100 feet run off and disconnected, nozzle attached, and a stream of water thrown in 60½ seconds.

The Lee did the same work, but it required 1 minute and 49 seconds. The fair throughout, Capt. Flood thinks, was a success, and, as a matter of course, the steam engine contest was one of

THE PRINCIPAL FEATURES,

and excited more attention than the display of stock.

GRIFFIN RISES TO EXPLAIN.

How That Twenty Per Cent Freedmen's Bank Dividend Can Be Paid.

Several days ago we published from the original copy a letter from Mr. Creswell of the Freedmen's Bank commission, in which he intimated that there would not be paid a twenty per cent dividend, as had been claimed by

CLAIM AGENT GRIFFIN,

and stating that he did not know Griffin in connection with the bureau, he having, as was stated, advertised for the depositors' pass books, with a view to secure the dividend.

Griffin, who is a colored man of considerable intelligence, comes back at Mr. Creswell and at what he (Griffin) calls "insinuations," as follows:

No. 108 GASQUET STREET,
New Orleans, Oct. 22, 1877.

Editor Democrat—Your issue of the 15th contains an article in regard to a branch of my business which is calculated to do me injury, and my absence from the city has heretofore prevented me from asking you to do me the favor and the justice of justifying myself.

You specialize the *Critic* as the paper in which I have advertised in regard to the dividend soon to be paid to the depositors in the Freedmen's Savings and Trust Company, while the truth is that I advertise the same in some twenty-five or thirty papers, not only in this State, but in Alabama, Florida, etc.

But the

ARTICLE CONTAINS INSINUATIONS

that there is some wrong dealing towards the unfortunate depositors on my part. This point I desire to positively deny, and at the same time I wish to thank you for the publication of the letter from the commissioners of the Freedmen's Saving and Trust Company, under date October 11, 1877, which clearly exonerates me from the implied charge, and establishes the *bona fide* character of my advertisement.

Permit me to quote from the letter: "Of the amount required to pay a *twenty per cent* dividend, the commissioners have on hand but a little over one half, or ten per cent, in cash. We hold a large amount of real estate, but at present it is almost impossible to makes sales of any, and as yet, the commissioners

HAVE NOT DECIDED

whether to await the slow collection of the balance required, or to declare a ten per cent dividend. In any event, it would require two, perhaps three months, to make ready the payment after the decision is reached.

"Very respectfully,
"JOHN A. J. CRESWELL,
"Of the Commission."

It thus appears that the probability is, that twenty per cent dividend will be paid to depositors by or about January next, and such statement is strictly in accordance with my advertisement. I am and have been, for four years last past, an attorney and solicitor of claims in this state, and have collected for depositors in the Freedmen's Bank when the first dividend was made. In calling upon depositors to send up their pass-books in time to receive their money at the earliest opportunity, I cannot see what ground there is for carping or cavil. Depositors will receive their dividend in person, and should any person be evil inclined it is impossible to carry out any plan of

DECEPTION OR FRAUD.

Trusting that you will oblige me by inserting this note, I have the honor to be,

Very repectfully,
G. H. GRIFFIN,
Attorney and Solicitor of Claims.

POLICE BOARD.

The Police Board met last evening at the Central Station, Mayor Pilsbury in the chair, and a quorum of the commissioners present.

Patrolman M. E. Leponetre, Third Precinct, for being off his beat and slightly under the influence of liquor, was reprimanded.

For leaving his beat without leave, G. T. Gallagher, patrolman of the Third Precinct, was reprimanded.

Patrolman C. Penuel, Third Precinct, came up on the following charge:

"That the said Patrolman Penuel did on the night of the 20th September, between 10 and 11 o'clock, at No. 32 Royal street, assault and beat one James."

After hearing the testimony the board dismissed the charge and reprimanded the officer.

Patrolman Gus Alexander, for conduct unbecoming an officer, was dismissed the force.

Patrolman Poindexter was fined five days' pay for neglect of duty, to wit: Not patrolling his beat.

The following officers resigned the force last evening, and the board accepted their resignations:

P. Dahoney and C. B. Gibbon, Fifth Precinct; John J. Graham, Fourth Precinct; L. Kinney, E. J. Dolan and Wm. A. Duke, Sixth Precinct; Robert McLaughlin, Third Precinct.

Get your kid gloves at Kreeger's.

Ex-Two by Sixes.

At a meeting held by the ex-Two by Sixes the following officers were elected: President, H. Henning; vice president, John Smith; secretary, Jos. P. H. Gast; treasurer, Ernest Myers; musical director, Peter Nuss; arrangement committee, Ernest Myers, Henry Smith, Wm. Stacy, J. Evans, Chas. O'Brien.

The ex-Two by Sixes give their first grand fancy dress and calico soiree at the Turners' Hall on Saturday next, the 27th inst.

Get your kid gloves at Kreeger's.

BREVITIES.

The approach of All Saints Day is heralded by the wreaths of immortelles that deck the shop windows down-town.

Sexton, the billiardist who was in New Orleans last winter, is so pleased with our city, that he proposes to return to spend the winter; at least so says a New York exchange.

The suburban police station, says Sergeant O'Rourke to Chief Boylan, is sadly in need of repairs.

The First District Court has had its detail of deputy sheriffs curtailed, which will give those on duty something to do.

"Mamma, is God everywhere?" "Yes, baby. God is everywhere." "Well, make buddy get up—he's sitting on God."

Should Lord Macaulay's "New Zealander" ever travel this way in his antiquarian researches, and get hold of one of the issues of our daily press, when his eye falls on the universal demand, "Wanted—A woman to cook for a small family"—the mooted question as to the cannibalism of the Americans will be regarded as finally set at rest.

Bonnets are bewildering this season. The explorer on Canal street meets with so many various shapes and styles that he is at a loss to know what is the fashion.

Why don't all those young fellows who loaf around the corners of Bourbon and Royal, on Canal street, go to work at some trade or other. Staring at the ladies as they pass by is scarcely adequate to fulfill the destinies of man.

The prisoners confined in the different precinct stations at night shiver almost to death for want of blankets.

A negro at Judge Smith's bar yesterday being asked whether he was "guilty or not guilty," said, "Well, I don't know, Judge, I give one of them lawyers around here sixty cents to defend me."

According to Duhamel's Fahrenheit the mercury yesterday ranged between 58 and 68 degrees. The weather reports to the Signal Bureau show the lowest temperature at 3 p. m. to have been at Shreveport, where the mercury indicated 57 degrees; St. Paul and the Northern and Western cities ranging from 61 to 68.

Get your kid gloves at Kreeger's.

CITY ECHOES.

In a very dangerous condition—the bridge corner of Poydras and Delta streets.

A thief with a sweet tooth robbed the cake stand in Poydras Market Monday night.

Charles Thomas, for the larceny of a small amount of fruit, was lodged in the Third Calaboose.

Sam Johnson was immured in the Second Station, charged with assaulting Mary Hatcheonson with a knife.

J. M. Ferguson, a merchant, is in durance vile at the Central Station, charged with assaulting and beating Felix Cellos.

John Price is in the Central Station, charged by Amelia Howard with breaking and entering her house and committing an assault and battery on her.

The written complaint of Sergeant O'Rourke to Chief Boylan regarding the dilapidated condition of the suburban station-house has been forwarded to the Mayor.

Robert Hany, whom it is alleged aided and abetted in the stabbing of J. W. Shroeder about a week ago, was arrested Monday on a warrant and lodged in the Fifth Station.

If Adam Winston had not have gone for P. Darasha with the latest style of weapons—brickbats—he would not have been in the Algiers stationhouse on a charge of assault and battery.

Four school boys, James Hogan, Buddy Donovan, Rudolph Lukes and John Murphy, were arrested on a warrant and lodged in the Central Station, charged with insulting and abusing Ellen Lyden, and throwing rocks into her house.

At about half-past 1 o'clock R. C. Stockton slipped at the corner of Basin and Common streets, and in the fall which ensued one of the chambers of his pistol accidentally exploded, the ball taking effect in the calf of his left leg, inflicting a slight wound.

Some impecunious louse, who dwells not in fear of Chief Boylan or of Judge Whitaker, of the Superior Criminal Court, stole a march on, and a horse and buggy from, Col. D. B. Robinson, superintendent of the Mobile Railroad, yesterday morning. While he was at breakfast the cuss aforesaid waltzed away from the hitching post in front of the residence and is probably yet on the move. The Colonel regrets the loss of his small sorrel mare, which, by the way, has two white hind feet, and will pay a liberal reward for the recovery of the animal that perpetrated the theft as well as the animal stolen and the buggy, the latter being a small, light, top buggy, such as are used by physicians.

A Daring Thief.

At about 4 o'clock Monday morning a thief entered the yard of the Central Station and attempted to rob the property clerk room. He was, however, discovered by the clerk, Mr. John Blasini, who fired two shots at him, after calling on him several times to surrender. Unfortunately the bullets sped wide of their intended mark, and the thief succeeded in making good his escape.

The Chief of Police is of the opinion that the would-be burglar was not after booty, but after certain evidence that is known to be kept in the property room.

Get your kid gloves at Kreeger's.

Read Navra's invitation to the China Palace.

Fine crystal and Bohemian glassware at Offner's, 174 Canal, opposite Varieties Theatre.

CUSTOM-HOUSE GOSSIP.

WELLS SAYS IT "ALL IS RIGHT"—THAT SETTLES IT.

But Who Is His Protege, the Dark Horse for the Collectorship?

Gen. Tom Anderson had information yesterday from Wells (now in Washington) that "all was right," or something to that effect, which is something similar to that sent by Anderson to King when Anderson and Wells went to Washington

TO SEE SHERMAN,

and which the Collector did not seem to understand, though he did when Anderson arrived here with his commission as special deputy.

Whether the "all right" now means that Wells is to be the Collector is not definitely settled, though some of his friends are of that opinion, and claim that he has yet a "controlling influence" over Sherman which will compel the Ohio financier to make any appointment he desires.

There are others who are of the opinion that the coming Collector has not yet been named, but that

A DARK HORSE

is looming up in the shape of a protege of the Returning Board, and that Wells went to Washington to get King out and get his protege in. Who the dark horse is has not yet come to the surface, but it is more than probable that it will in the next forty-eight hours.

Naval Officer Lewis left for Washington last night to look after his own interests—that is, secure his confirmation; that at least is his version, but it is thought that Kellogg, or some of the rest of the crowd, have sent for him to come there and mix in

THE SENATORIAL CONTEST

a little.

Pension Agent McMillen, who has secured a bond, took the oath of office yesterday and will assume the duties of his office as soon as his bond is approved by the Department of the Interior at Washington.

Get your kid gloves at Kreeger's.

THE COURTS.

Second District Court.

SUCCESSIONS OPENED.

Successions of Martin Friedrich, Bernard Ryan Coffey, Seigfried Droste and David McCoard.

Third District Court.

John Henderson vs. city of New Orleans.—In this case Warner Van Norden filed an intervention, joining the city, and praying that the injunction sued out by the plaintiff be dismissed.

Patrick Irwin vs. city of New Orleans.—Intervention of the same nature as in the foregoing case filed by Van Norden.

Sixth District Court.

New Orleans Canal and Banking Company vs. city of New Orleans.—Warner Van Norden intervenes, joining the city and asking the dismissal of plaintiff's suit.

Jean Chapus vs. Pierre Pujol.—On the 1st of September last the defendant in the above case made affidavit against the plaintiff and caused his arrest for embezzlement of the sum of $1000, realized on a warrant intrusted to him for collection by defendant. On October 20 plaintiff had a preliminary examination on this charge before the Second Recorder and was discharged. He now brings suit against Pujol of damages in the sum of $10,000.

Petitioner avers that said Pierre Poujol is liable to him in damages to the sum of $10,000 for libel, false imprisonment and malicious prosecution; that said Pierre Pujol acted arbitrarily in making said affidavit; that his object in the matter was not to apply for a *bona fide* investigation of the charge of embezzlement, but to have recourse to the criminal prosecution, in order, by the terror thereof, to compel petitioner to pay said Pujol the claim of $2125.

Paul Trevigne vs. School Board.—In this case Judge Rightor read the following decision, dissolving the injunction sued out by plaintiff:

Paul Trevigne vs. School Board et al.—The plaintiff, a citizen of the United States and of Louisiana, resident in this city, of which he is a native, avers that he is a colored man of African descent and origin; that he is a married man, has a minor now under his tutelage of schoolable age; that he is the owner of real and personal property in the city, upon which he pays taxes. He then recites the fourteenth amendment of the constitution of the United States, which declares that "all persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States." He then recites the second article of the constitution of Louisiana, which declares that "all persons, without regard to race, color or previous condition, born or naturalized in the United States and subject to the jurisdiction thereof, and residents of this State one year, are citizens. They shall enjoy the same civil, political and public rights and privileges, and be subject to the same pains and penalties."

He then recites article 135 of the State constitution, which declares that "all children of this State between the ages of six and twenty-one shall be admitted to the public schools or other institutions of learning sustained or established by the State, in common, without distinction of race, color or previous condition. There shall be no separate schools or institutions of learning established exclusively for any race by the State of Louisiana." Article 136 provides that "to municipal corporation shall make any rules or regulations contrary to the spirit and intention of article 135." Article 118 provides that "taxation shall be equal and uniform throughout the State." Plaintiff then proceeds to show in substance that Wm. O. Rogers, Superintendent of the Public Schools of New Orleans, by the advice and under the direction of the School Board of the city, as evidenced by the adoption of certain resolutions offered by Archibald Mitchell, has divided and separated the public schools of the city into schools exclusively for white children and schools exclusively for colored children, said division and separation being complained of as arbitrary, without authority of law, and violative of the constitutions of the United States, of the State of Louisiana and of the laws thereof, and as working an irreparable injury to the petitioner and his son, as well as to the entire colored population of the city, in that it tends to and does degrade them as citizens by discriminating against them on account of color or race. He further sets forth that he is a man of education and refinement, and from this fact, without considering others, he is irreparably injured in the person of his son, by the official acts of the board and of William O. Rogers, which detract from their status as citizens and consign them to the contempt of their fellow-men in this community and elsewhere, that being equals before the law, this equality

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A rule is taken to dissolve the injunction, which issued at the instance above set forth on substantially two grounds:

1. That the petition discloses no injury to plaintiff and no cause of action.

2. That the process of injunction is, under the plaintiff's allegations, ineffectual and impossible of execution for as much as it prohibits the doing of that which had been already done at the date of the issuance of the mandate.

Our Code of Practice, article 15, provides that "an action can only be brought by one having a real and actual interest which he pursues, but as soon as that interest arises he may bring his action." It is not sufficient that an unlawful act shall have been done to confer on an individual the right of complaining to the courts; he must show a resulting wrong inflicted upon himself or a right violated to his personal detriment. Among the rules adopted by the School Board for the administration of the public schools of the city is one (No. 47, chapter 4) passed in conformity with sections 31 and 33 of act No. 25, Statutes of 1877, and which prescribes that pupils "must attend the school established in the local school district in which they reside." This rule is a just and reasonable one, and clearly within the granted powers of the board. Its lawfulness has not been questioned, nor has it been complained of as injurious to the plaintiff. Plaintiff's only "real and actual interest" therefore is in exercising the right of frequenting the public schools of the "local school district in which he resides." Whatever violation of right may be threatened or executed in other districts can inflict no personal injury upon him, and an appeal to the courts for redress in those localities belongs either to the constituted authorities or to the individuals who may have been aggrieved. It is clear therefore, beyond the possibility of a doubt, that the injunction, so far as it embraces in the scope of its inhibition upon the school board any portion of the territory of New Orleans other than the district of plaintiff's residence, cannot stand and must be dissolved; for he as an individual can complain only of the establishment of separate schools in the territorial circumscription in which his son is by law compelled, in common with all other pupils, to seek the benefits of public education. He cannot assume either the tasks or the prerogatives of a public functionary nor constitute himself the champion of any rights but his own.

The court would therefore be compelled to restrict the operation of the injunction to the school district of plaintiff's domicile. But how can the court thus restrict it when the petition fails to disclose the district of plaintiff's domicile? It follows that even this restricted relief cannot be granted.

Again, taking for true all the allegations of plaintiff's petition, what wrong is he shown to have suffered? The issuance by the board to the superintendent of unlawful instructions does not *per se* aggrieve the plaintiff until they have been carried into execution. Even their execution by the establishment of separate schools can cause no grievance which gives rise to a private right of action until that execution has affected his personal rights. He declares that the board and the superintendent have established separate schools on the color line, but he does not declare that his son has been denied access to the white schools. Such denial being, as alleged, an unlawful act, can the court presume that the persons charged by law with the administration of the schools will commit an unlawful act? Non constat that an exception may not be made in favor of plaintiff; non constat that the instructions may not be revoked; non constat that they will be executed. Courts have a sufficiently difficult task in the effort to redress "real and actual" wrongs to give effect to "real and actual" rights, without multiplying their duties in the rectification of prospective injuries which may never be suffered and the vindication of future rights which may never be born.

Let the injunction be dissolved.

Read Navra's invitation to the China Palace.

Get your kid gloves at Kreeger's.

AMUSEMENTS.

ST. CHARLES THEATRE.—Owing to the attendance of many ladies belonging to the elite of our society at the St. Charles last night, urged probably by a curiosity to see real negro minstrels, we are encouraged to repeat what we said yesterday in other terms, that the Georgia Minstrel Company present nothing to offend the sight or the ear of the most polite people. The company give a good entertainment and deserve to be seen.

Next Sunday the Berger Family begin a short engagement at the St. Charles.

Get your kid gloves at Kreeger's.

Read Navra's invitation to the China Palace.

New goods at Offner's, Monday.

Get your kid gloves at Kreeger's.

HELP THE ORPHAN.

The Female Orphan Asylum, at the junction of Prytania and Camp streets, is in a state of destitution which requires immediate relief, and, in response to its appeal, there will be given a grand concert to-morrow evening at Grunewald Hall, the proceeds of which are to be donated to this most deserving institution. This institution has failed to receive the usual appropriation from the State, and has, besides, lost many of its former sources of revenue. For a long while it has depended in the main on private subscriptions and the kindness of those persons from whom it was wont to purchase its supplies.

Under these circumstances it appeals to the public for relief, and we feel assured that the appeal will not fall on deaf ears or unresponsive hearts. There are none who would refuse the small contribution asked from any lack of sympathy, though many may do so from heedlessness or indifference. But let us all make it a point to remember the orphan to-morrow, and we feel assured the record of the kindly act will not be forgotten.

The entertainment will be given under the direction of Prof. J. W. H. Eckert, and promises to be in all respects a brilliant affair.

The reception committee is composed of the following well-known gentlemen: Lieut. Gov. L. A. Wiltz, chairman; Hon. Allen Jumel, Hon. H. N. Ogden, Hon. J. D. Hill, and Hon. Geo. W. Dupre. Grunewald Hall, which has been furnished free of charge, we know will be crowded with the elite of our city on this occasion.

The programme, including, as it does, the names of some of our most gifted amateurs and artists, gives assurance of an entertainment of unusual merit. Among these we notice Miss A. Liberman, Mi s Ida Rieman, Mr. Geo. Pritchard, Mr. J. Ross, Mr. A. Gugenheim, Miss A. Mercier, Miss A. Seawell and Mr. A. Mallard, and the members of the Amateur Minstrel Club.

Get your kid gloves at Kreeger's.

Read Navra's invitation to the China Palace.

Magnificent vases and jardinieres, cheap, at Offner's.

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

Get your kid gloves at Kreeger's.

Read Navra's invitation to the China Palace.

New majolica ware at Offner's, 174 Canal, opposite Varieties Theatre.

See sale of elegant furniture by Albert Paul, on account of departure of J. Y. Dysart, 813 Carondelet street.

Get your kid gloves at Kreeger's.

Offner's grand opening takes place Monday.

Get your kid gloves at Kreeger's.

HOTEL ARRIVALS.

ST. CHARLES HOTEL—G P Robinson, city; C B Tedcastle, New York; O B Fish, Mobile; G H King, New York; E D Farrar, F F Montgomery, La; T D Hunt, Miss; E B Taylor, Chicago; Capt John W Cannon,