

MUNICIPAL MATTERS.

THE HYDROGRAPHIC COMMISSION.

They Ask the Mayor for Precise Information as to What is Expected of Them. Yesterday the Mayor received a note from Major Gen. Weitzel, the chairman of the United States Hydrographic Commission, asking him to inform them precisely what was the nature of the investigation they were expected to make.

The answer of the Mayor was, in effect, what is contained in the subjoined letter of Gen. Beauregard:

ALLEGHANY SPRINGS, Montgomery County, Va., Sept. 17, 1877.

Dear Sir:—I notice in late papers received from New Orleans that the citizens of the Second and Third Districts have petitioned the City Council to adopt measures to prevent the encroachment of the river on the levee and front street of those districts, and arrest in time the danger which threatens their private property. The abstraction complained of has been going on for many years, and is principally the result of the increase of water in the upper districts of the city. Unless properly checked it will surely occasion or lengthen the destruction of property from the French Market to the lower limits of the city. The problem is far from being a simple one, and the remedy is complicated by the necessity of not obstructing in any way while applying a remedy, the availability for the purposes of commerce of any portion of the river front of the city.

Many eminent engineers will doubtless be offered to the consideration of the Council, who cannot be too cautious in accepting them, for in their action may depend not only the loss of large sums of money, but a still greater increase of the evil complained of. To properly control and direct the current of so mighty a stream as the Mississippi is one of the most difficult problems which can be presented to the hydraulic engineer, as is shown by the important works now successfully progressing at the South Pass under the supervision of Messrs. Eads and Andrews. And no engineer, however intelligent and able, will venture to offer a plan of relief.

Without precise data to go upon, I respectfully suggest, therefore, that advantage should be taken at once of the present low stage of the river to give an accurate survey of both its banks from the lower to the upper limits of this city, giving cross sections of the stream every half a mile with accurate soundings and the directions of the current. This survey, by the by, should be repeated hereafter about every twenty years.

And the maps thereof should be carefully kept in the surveyor's office to determine the changes which may take place in the depth, width and direction of the river.

As soon as the first survey shall have been completed, which ought to require only a few weeks, a board of five or six members, not less than three nor more than five members, should be called together by the City Council to determine the best and cheapest mode of protecting in a permanent manner the endangered bank of the city from the encroachment of the stream. To be carried out gradually, according to the available means of the city. Best assured, my dear sir, that this is the most reliable, and in the end the most economical, method of arriving at the solution of a problem so vital to the interests of a large portion of our community. If you permit me I would respectfully suggest, to ensure success, the names of two of the members of this board of engineers: Gen. J. G. Barnard, U. S. Corps of Engineers, now stationed at New York, who is a distinguished engineer, and the hydraulic of the Mississippi, he having been stationed during many years previous to the late war in New Orleans; and Capt. J. R. Eads, whose name is now too familiar to you to require favorable mention.

I remain, dear sir, yours, most truly, G. T. BEAUREGARD, Hon. Ed. Pillsbury, Mayor of the city of New Orleans, La.

The commission visited the Surveyor's office during the morning, and were shown the old plans on record in the office, and the sections in the river bed along the course sought to be protected, and as well the plans to secure the drainage protection levee at the New Lake Road, which they will visit this morning, in compliance with the request of the Mayor.

THE SMALL-POX HOSPITAL.

Administrator Edwards and Capt. Fremoux, deputy surveyor, got their heads together yesterday to devise some method by which the plan of the proposed Small-Pox Hospital can be ameliorated, in order that the building shall not cost more than two or six thousand dollars. They had not come to a conclusion at the hour we went to press last night. The fear, at the City Hall, is that this cutting down of the original plan will result in a too small small-pox hospital.

THE ALARM TELEGRAPH EXTENSION.

The alarm telegraph has been drawn up and addressed to the City Council. To the Honorable Mayor and Administrators: By resolution of the Board of Delegates, the Firemen's Charitable Association, Sixth District, directing its Board of Commissioners to call upon your honorable body by petition, setting forth the necessity of the extension of the fire alarm telegraph; in pursuance thereof, we have the honor to lay before your body a petition signed by interested citizens.

It will be apparent that it is but just and of necessity to the interest of these citizens, and welfare of the Sixth District generally, that our petition be granted.

EUGENE MAY, President. H. P. PHILLIPS, Chief Engineer. H. O. BROWN, Board. R. LEIDENHEIMER, of R. W. YOUNG, Commissioners.

To the Honorable Mayor and Administrators: The undersigned citizens and residents of the Sixth District of the city of New Orleans, would respectfully urge that the city of New Orleans, through its officers, make provision for the extension of the "fire alarm telegraph" through the Sixth District during the coming year. Your petitioners submit that every consideration, whether with regard to the territorial extension of the district, its population, or the value of the property situated within its limits, entitles the Sixth District to claim the same protection from the dangers of fire as has been extended by the municipal corporation to the other sections of the city. This section of the city can compare favorably with any other in the elegance and value of its residences, the enterprise and good conduct of its citizens, and the efficiency of its fire department; it is the most habitable; it pays to the city government \$134,566 in taxes on an assessment of \$6,287,344. Every reason which rendered necessary the application of the "fire alarm telegraph" within the other districts of the city of New Orleans, applies with equal force and extension through the Sixth District, and your memorialists confidently petition for the right which they are entitled to enjoy in common with their fellow townsmen in the other districts.

E. A. Fairley, Hugh Kennedy, president Crescent City Railroad; Leon Gerolotax, A. Bressand, president Sixth District Railroad; Chas. T. Dugan, president Louisiana Ice Company; L. P. Delachaise, A. Roeherson & Co., Aug. Rice, F. R. Southmayd, C. J. Southmayd, Scott McGehee, Alwood Vial, E. Fermand, E. Virgil, J. E. Fornsheim, J. M. Gould, J. B. Woods, M. F. Farrell, Sam. Henderson, R. Pochiet, O. Laconne, J. Sweeney, F. Probst, Jacob Vanhook, B. J. West, A. E. Morphy, Edw. Dore, G. J. Mastingsley, B. Schoemberg, J. Criswell, B. L. Wall, E. E. Ebers, A. Blaffer, S. D. Moody, Gen. E. N. Orden, C. H. Allen, H. B. Ferguson, Peter O'Donnell, J. O. Landry, F. Wintz, J. E. Vose, C. O'Connell, P. G. Goral & Co., owners Ocean Saw Mill; W. Van Southmayd, president Carrollton & Railroad; N. Daniel, S. J. Keith, E. Kirkpatrick, J. J. Tartion, A. Chopin, F. F. Hansell, T. O. W. Ellis, W. H. E. Johnson, H. T. Lawler, H. B. Gogreve, Lehmann, Abraham & Co., Lane Cotton Mill, C. J. Fox, I. Sefran.

WE ARE NOW PENNY WISE.

The Cent Circulation Increasing and the People Like It. The penny excitement has been on the increase since the announcement made in the DEMOCRAT that its evening paper would soon be published for a fraction of a nickel. The subject has been canvassed by business men, bookkeepers, and all classes, and so far it has met with that general approval the DEMOCRAT suggested that it should be a medium, Mr. M. L. Byrne, the large

THE BIG SUIT.

EXCEPTIONS TAKEN BY THE DEFENDANTS.

Slip Prospects That the Direct Issue Will Soon be Reached. The great suit instituted by the city of New Orleans vs. the Southern Bank and others, to recover over \$835,000, claimed to have been illegally negotiated by the Southern Bank, as fiscal agent of the city, has elicited the following answers from the defendants, which, owing to the importance of the case, we give in full:

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Averring that the petition filed is not signed by the City Attorney, or by any attorney having legal authority to represent said City Attorney, or the city of New Orleans in the present matter; Averring further, that this suit was instituted in the name of the city of New Orleans, and without any legal authority from said city, evidenced by an ordinance or resolution specially passed to that effect by the City Council, and which is an illegal condition precedent; Averring also, that the petition herein is signed by S. P. Blane, Esq., a member of the bar, without any legal authority to represent the City Attorney or the city of New Orleans, but probably at the solitary instance of the Mayor, and possibly the Mayor and the Council of said city, and in no manner of the Council of said city; and that said Mayor and Administrators, jointly or separately, are devoid of all right or power to direct the institution of this suit;

Averring further, that these preliminary defenses are set up, that defendant may know distinctly on whom eventually to fasten the responsibility of the institution of this suit, which is unfounded, wanton, libelous, and brought with a view to harm, and to claim from whom of right such damages as it may be proper to demand. And were said exceptions overruled, then the defendant further excepting, avers and charges: That the city of New Orleans, the plaintiff herein, as so stated by section 37 of act No. 11, approved 23d March, 1832, levied in the years 1874, 1875, 1876 and 1877, the tax provided in said section for the payment of the matured coupons of the bonds issued under the authority of said law, and for the purchase of said bonds, whereof there are outstanding more than four millions of dollars; and whereof defendant owns more than one hundred thousand dollars, with all the unmatured and matured, and unpaid coupons thereof, and that by the terms said act express power is given to said city to sue and recover from any person or persons who shall fail to pay any of said coupons, and consequently deprives said city of all standing in court as plaintiff herein.

Wherefore, setting up the foregoing exceptions verbatim, the defendant prays that, after hearing, they be sustained and the petition herein dismissed with costs, and in the alternative, if the same matter otherwise, the defendant, reserving all rights to further appearance, prays for general relief. E. BERMUDEZ, Counsel for the Bank. ANSWER OF THOMAS LAYTON. City of New Orleans vs. The Southern Bank et al.—Fifth District Court, No. 8538. Thomas Layton, made defendant herein, joins in the pleading herein filed by the Southern Bank to the mode of institution of this suit, and should said exception be overruled he says that the petition discloses no cause of action against him individually. Wherefore, he prays that the petition herein be dismissed, with costs, and for general relief, etc. E. BERMUDEZ, Attorney.

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THE CONSTITUTIONAL CONVENTION AND THE CONSTITUTIONAL AMENDMENTS SUBMITTED AT THE LAST ELECTION.

The latter a Nullity as the Returns were so "Disfigured" They Could Not be Passed Upon. The idea of the necessity of a Constitutional Convention having been agitated considerably during the past few weeks has brought to the surface as another topic of discussion about the State House the constitutional amendments originating in the Senate and passed finally by that body on March 2, 1876, and passed by the House on the same evening.

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About 8 o'clock the family were startled by the quick report of a pistol in Frely's room. They hurried to the scene and on entering the room their eyes beheld a ghastly spectacle, for upon the floor in the middle, his face covered with blood, his right hand clutched a Deringer pistol, while by his side was found a bottle which had contained whisky and which he had drained to the dregs.

Assistance was summoned, the man placed on a stretcher and carried to Miles' saloon, where to attend him, but the physicians, after examining the wound, pronounced his condition hopeless, as the bullet had penetrated the brain. The pistol and empty whisky bottle were taken to the Sixth Precinct Station, and a line of Frely's friends, of various ages and a native of Germany. He leaves a wife and several children.

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ST. PATRICK'S HALL.

An immense crowd attended the entertainment given last night at St. Patrick's Hall for the benefit of Col. Borland's regiment Louisiana State Militia, formerly "Louisiana's Own," under command of the late valiant and regretted Col. John G. Angell. It must be remembered that "Louisiana's Own" was one of the first regiments that enlisted under the banner of freedom when Louisiana's days were darkest and murkiest clouds obscured her sun.

The minstrel performance was, as usual, remarkably entertaining. When their personal task was done the room was cleared for the dance, and then did the genuine enjoyment begin to the rhythmic strains of Strauss and Wagner. When 12 o'clock sounded a call was made upon the remaining board of the locality for a return of the ballots cast for the prettiest lady and the ugliest man, as had been previously announced in yesterday's DEMOCRAT. The result showed that a large majority of the appreciative gentleman present had given their votes to Miss Emily Frost, who, by her native beauty and modesty, richly deserved the unthought compliment. The prize of ugliness was deservedly won by one of our most notably good-looking and pleasant young men, to whom the gentlemen tendered our sincere congratulations, though we must say that he was followed up very closely by the DEMOCRAT man. We understand that this fête will be hereafter continued, as will be then advertised.

Silk vests reduced at the Palais Royal. Silk fringes 40c a yard.

FANCY DRESS GOODS.—M. L. BYRNE & Co. will offer this week one of the largest assortments of English and French dress goods ever offered in this city, and at prices that will delight every purchaser.

NEW ORLEANS DRAMATIC ASSOCIATION.

This well known and most popular amateur dramatic association was organized in 1866. During its existence it has been noted for its liberality and public spirit. On many occasions it has given entertainments for charitable purposes, such as one for the benefit of the sufferers by the overflow, two for the Grand parish prisoners, and others for orphan asylums, etc., the whole realizing about \$15,000. This association is composed of young men, who rank among the most intelligent and respectable, in a social and business sense, in the city of New Orleans. They have made a host of friends throughout the city, and deservedly occupy a proud and exalted position among our amateur clubs.

Last Monday evening the eleventh annual election of officers was held, the result of which is given below. The president has accepted the same position for several years, and his continuance in office is a high compliment to himself. We cannot refrain from congratulating the association upon its election of our esteemed friend and journalistic confrere, Mr. John W. Bryant, as vice president. Such men as leading officers would give tone and character to any organization.

We understand the association contemplate, on the 9th of January, giving an entertainment for the benefit of the monument to be erected at the head of Canal street, in commemoration of the men who yielded up their lives on the 14th of September in the cause of law and justice. The following are the officers chosen at the last election alluded to above: President, John J. Mellon; vice president, John W. Bryant; recording secretary, E. B. Jennings; financial secretary, E. H. Corkey; treasurer, W. H. Bonahar; stage manager, G. S. Babcock; board of directors, Dr. W. Bailey, Jr., J. M. N. Allen, J. S. Bouliemont; acting committee, Thos. A. Gleason, R. H. Bouliemont, W. J. O'Reardon; committee of arrangements, E. J. Angell, John H. B. Tanner; finance committee, W. J. O'Reardon, F. M. Kerr, E. J. Angell.

Smoked pearl buttons 25c a dozen at Levy's Palais Royal.

BLACK CASHMERE.—We will offer this week a case of superior black cashmeres, together with a lot of very heavy colored merinos, forty inches wide, at fifty cents a yard. These goods would be cheap at seventy-five cents a yard. M. L. BYRNE & Co.

A LOW-BRED PUPPY.

Yesterday at half-past 3 o'clock p. m., on the Rampart and Dauphine street line of the New Orleans City Railroad Company, a young puppy of low breed, wearing the semblance of a man, drove a lady from the