

MUNICIPAL MATTERS.

STATE ASSESSMENT. The Department Closes Its Work and Discharges Its Clerks. Yesterday the Department of Assessments completed the summing up of the State assessments for the parish of Orleans, the totals of which we give below:

Table with 2 columns: Assessment District and Amount. Includes First Assessment District (\$6,578,110), Second Assessment District (\$6,692,350), etc.

To this amount should be added \$16,151,000 of premiums earned by insurance companies, all of which are in the Fourth Assessment District, and giving a grand total of \$109,925,801, as compared with the municipal assessments amounting to \$111,122,140.

The difference lies in the following facts: While the State has always assessed the Sugar Shed Company, the city did not for a certain period, and on the present city assessment rolls the assessment of this corporation for three years are included. Again, while the city imposes a tax on income, the State does not; the difference in this matter alone being \$1,229,970. The State, however, gains in the matter of the tax on 'furniture,' which, according to State law, is taxed on all amounts exceeding \$500, while the city exempts \$1000 of furniture from taxation.

The work of the Department of Assessments being completed, the clerks have been notified that their services will not be needed after the 30th inst.

SALE OF MARKET REVENUES. Nine of the Bids Rejected, and the Markets Ordered to be Sold on sealed Proposals.

Yesterday the revenues of the various markets for December were offered for sale at public auction at the City Hall. We append the prices obtained, and as well the prices at which they were sold for November:

Table with 3 columns: Item, Nov. Price, Dec. Price. Includes Fruit and Vegetable, Cattle, Horses, etc.

Being a decrease as compared with last month, it is believed there should be an increase. In consequence it has been deemed advisable to advertise for sealed proposals for the revenues of the French Meat, Poultry and Pile, Tremé, St. Bernard, St. Mary, Magazine, Ninth Street, Orleans and Dryades Markets, which will be received at the City Hall until Wednesday, the 29th instant, at noon.

THE GAS QUESTION. The Committee Ready to Hand in Their Report.

The committee appointed to inquire into the gas question and to ascertain the most economical means of procuring gas for the city, will make their report to the Council to-day. They will recommend that the proposition of the New Orleans Gas Company made to them be rejected, and that Mr. Fitcher, who is the contractor for lighting the city lamps, be embodied in his contract.

THE CITY'S LEGAL TROUBLES. The Bazaar Market Case—The Gaines Case.

Referring to the decision of Judge Billings of the United States District Court, refusing the injunction applying for the execution of the judgment in favor of John A. Morris, the Mayor says that the city has other resources and grounds enough to obtain the injunction; that on the case stands it is simply a denial to grant a demand in equity against a judgment at law. Future proceedings in the matter will therefore be a demand at law.

THE HYDROGRAPHIC COMMISSION. The United States Propeller Enterprise Believed to be Safe.

Gen. Weitzel and Major Benard took their departure yesterday. Before leaving Gen. Weitzel introduced to Col. Robert Wood to inform him from time to time of the progress of the hydrographic survey. The resident members of the commission, Major Howell, State Engineer Harrod and Surveyor d'Hemecourt will begin their portion of the work as soon as the U. S. steamer Enterprise arrives here. The delay of the Enterprise is ascribed to the storm by which the Haron was lost, but no danger is apprehended for her safety as she is said to be one of the staunchest ships afloat.

THE COLORED NORMAL INSTITUTE. This school has been formally opened, with Mr. Edwards and Miss McKindie as teachers.

There were over twenty applications from persons of both sexes for admission to the school.

THE CITY PARKS. An Entertaining Citizen Manifests His Interest in Them.

Mr. Pillsbury informs us that he has received a note from a highly respectable and enterprising citizen, who proposes to be one of five hundred citizens who will contribute ten dollars a month each toward the improvement of our city parks. Such an subscription would realize \$60,000 a year. Who will speak next?

THE UNIVERSITY OF LOUISIANA. Opening of the Law Department Last Evening.

Last evening, at the University building at the corner of Common and Dryades streets, there was gathered a large and most select audience, composed of members of the bar and law students. Chief Justice Manning and the associate justices were also present to listen to the opening lecture of Hon. Randall Hunt, president.

SHIPMERS OF FOREIGN EXPRESS GOODS. In another column will be seen the card of Augustus Dunlop, 63 Broadway, New York.

This gentleman has great facilities for conducting the brokerage and foreign express business, and our merchants doing business abroad will no doubt find it to their interest to ship all cotton samples, etc., through Mr. Dunlop.

SEED POTATOES—Mr. A. Egan, of St. Tchoupitoulas street, advertises a large lot of Jackson potatoes for sale.

These potatoes would do well to call on Mr. Egan, for they will not be able to get elsewhere potatoes with any more seed in them than his have.

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NO! FOR THE RACES. The notes of preparation that have been sounded for the last week have awakened a responsive chord among the ladies, and now the approaching race meeting is the topic of conversation.

CUSTOM-HOUSE NOTES.

STILL ON THE HAGGED EDGE—THE LATEST ARRIVAL FROM WASHINGTON. And What He Says about Conover, Patterson, and Packard's Lunch with Hayes.

Yesterday afternoon dispatches to prominent Custom-House Republicans did not omit them at all, as they announced that the Butler controversy had postponed action in the Spofford-Kellogg case until to-day. Some were sanguine, however, that Kellogg would eventually win, while one expressed his doubts, fearing, as he said, that even if Patterson and Conover voted for Kellogg there might be two other Senators who would either absent themselves or

CAPITOL GOSSIP. Half a Million of "Indebtedness" Ground Out by the Republican Mill.

Gov. Nichols being absent from the city yesterday, and nothing was done at the Executive office, but little of importance transpired in the office of the Secretary of State.

As stated in the DEMOCRAT some days ago, the Auditor has discovered from the data left in his office that the total amount of State warrants outstanding and issued from 1865 to 1873 inclusive amounted to \$274,421.94. Of this amount

THE TOTAL OUTSTANDING for the years named is as follows:

Table with 2 columns: Year and Amount. Includes 1865 (\$38 75), 1866 (\$430 70), 1867 (\$639 17), 1868 (\$1,454 45), etc.

Total, \$274,421.94. The issue of warrants for the year 1874, not including those funded during the Star Chamber sessions of the Kellogg Funding Board, amounted to \$578,719.55, and it is believed that the issue for 1875 will be fully as much if not more.

The minutes of the State Chamber Board allowed to fail to give any exact data as to the amount or series funded, consequently it is impossible to ascertain at present how much

THE KELLOGG BOARD FUNDED, but it is thought that data can be secured sufficient to give an idea of the amount, which, when found, will be of interest to the State.

Report now being prepared by the Auditor for the General Assembly.

Rumor has it that the Governor and the Superintendent of Public Education contemplate an exchange of offices, the occupier by the latter being more suitable for the Executive than the rooms he now occupies.

FUNERAL OF ANDREW H. SCHMITT. Yesterday the remains of our friend, the lamented Andrew H. Schmitt, were laid away forever by sorrowing friends.

Cut short just at the opening of a career which was rich in promise of a full fruition, his demise has created a deep feeling of regret in our commercial community.

Needling recreation from business, on Saturday last evening, in the company of some friends, he went a short distance on the Jackson Railroad on a hunting expedition. Arriving at Bayou LaCombe the party separated, and, as the hour for starting homeward arrived, Mr. Schmitt was missing.

After a search his body was found in the position death had come upon him.

The cortege yesterday was of a very impressive character. The Continental Guards, with arms reversed and marching to the solemn notes of the Dead March, led the line, followed by the German Lodge of Masons. The new order of "Apo Meliffica" came next, and a long line of friends.

When the procession reached Chalborne street, on the left of the Metairie cemetery, and adding to the mournfulness of the occasion, the Thirteenth Infantry Band, in dirgeful strains, played "In the Sweet By and By," whilst the Continentals presented arms to the passing hearse.

Taking cars at this point, the organizations went to the tomb, where, beneath the quiet afternoon sky, dust was given to dust, and a generous man and noble nature passed to the "Sweet By and By."

NIMRODIANA. The Sporting Season in Full Blast—Exploits of Our Nimrods.

Several hundred sportsmen sought recreation and diversion on Saturday in excursions to the suburban hunting and fishing places. The trains of last evening brought them all home, and despite the unfavorable conditions of the day, in the prevalent high wind which swept over the flat surface to which their operations were confined, we were pleased to discover that they returned with good bags. In the piscatorial line the triumphs were hardly worthy of record. That veteran Waltonian, Ballejo, was the only one who appeared to have achieved any encouraging results; his string of bass, caught in Pearl river, though not equal to his usual achievements, was quite an appetizing picture.

It required great knowledge and skill to find out the locality where such fish could be captured. The constant flow of so great a body of Mississippi water through the Bonnet Carré is still the great obstacle and detriment to the fishing preserves along the whole gulf and lake coasts. Nearly all the good fish appear to have been driven off, and the oysters are rapidly disappearing or sinking into a tasteless and insipid condition. Even the bass, which is a fresh water fish, has a fondness for Mississippi water, and as fast that gamest of fish, the red fish, which used to abound in the back bays and coves, he seems to have taken his whole family to the more saline and greasy resorts in the Baratarian region, west of the Mississippi. Nearly all our good fish and oysters come from this region or from the Alabama and Florida coasts.

The sport of ducking along our bayous and rivers in the vicinity has opened promisingly. The returning Nimrods of Sunday from the Chief Monsieur, Lake de Theriot, Bayou Pearl River, and those from Bayou LaBranche and the region between the city and Bayou Manchac, were festooned with heavy strings of ducks, which their bags protruded appetizingly with scallops, quail, doves and robins. When the ducks were scarce or too sooty their places were supplied by poule d'eau, that invariable resource of the unfortunate duck hunter. The poule d'eau, in an emergency, is not a bad substitute for the duck, both in sport and on the table; only he is much easier to shoot and much harder to eat. In a salmi, when carefully flayed of his tough epidermis, a sportsman's or an African's appetite will not revolt from him.

THE GERMAN DRAMATIC COMPANY. Last evening the young gentlemen of the association "Dramatisches Gessellschaft" gave one of their complimentary entertainments, comprising two excellent French comedies entitled "L'Infortuné Caroline" and "Les 37 Sous de M. Montaudouin." The performance closed at about a late hour, that we are deprived of the pleasure of speaking of it at length. It was most creditable and attended by a throng of the handsomest portion of the inhabitants of the lower town districts of the city.

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Since the return of the Crescent City Rifle Club from Creedmoor, Capt. Dudley Selph, of the Washington Artillery, has made a successful effort to organize in that battalion a corps of sharpshooters, the ultimate object being to organize

A MILITARY RIFLE TEAM. Hardly a Sunday passes now that some ten or fifteen of the corps do not avail themselves of the Crescent City Rifle Club's invitation to "use Frogmore" to their heart's content, and some of the scores made would reflect no small credit upon the corps were the members thereof not too modest to have them made public.

The practice is, of course, with the military rifle, at 200 yards, off hand, and the first ten shots are made in rapid succession, the remainder of the battalion, it is said, to keep up the practice until next season, by which time a team will have been secured that can compete with any of the organizations that usually participate in the competitive military shooting at Creedmoor.

THE TEAM SEVERED. They will be sent to Creedmoor next year, when they will be expected to show the result of their training under Capt. Selph and, no doubt, that will be done.

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THE COURTS.

UNITED STATES CIRCUIT COURT. Judge Billings sustains the seizure made under the John A. Morris judgment.

The following is the judgment rendered by Judge Billings yesterday in the case of the city of New Orleans vs. John A. Morris, wherein the city asked an injunction forbidding the seizure and sale of the Bazaar Market to satisfy a judgment obtained against the city by defendant.

The judgment covers many important points, and we therefore give it in full:

The city of New Orleans vs. John A. Morris.—This case before me for the sale of real estate, as the defendant claims, and as the plaintiff denies, is a case of law, and not a case of equity, and the defendant is not entitled to an injunction.

On the 26th day of May, 1875, the defendant in this case obtained a judgment against the plaintiff for the sum of fifty-three thousand dollars with interest. A writ of fieri facias has issued upon this judgment at law, and under that writ there has been a seizure of the Bazaar Market, and the land on which the same stands. In the year 1869 the city owned a piece of land.

It executed a contract with William H. Wells whereby he was to construct a building which was to be used for the sale of fresh meats, fish and vegetables. The contract with Wells strictly forbade the terms of an ordinance of the City Council, which ordinance declared that the said building was to be used for the sale of fresh meats, fish and vegetables.

The contract with Wells was made prior to the seizure of the Bazaar Market, and the defendant claims that the seizure was made in violation of the contract with Wells.

This is a bill in equity, then, to restrain the enforcement of a levy under an execution issued upon a judgment at law. The bill sets forth two grounds upon which the judgment is sought. First, that the property is a source of public revenue to a municipal corporation, and therefore is not liable to seizure under a fieri facias, and secondly, that the obligation on the part of the city upon which the judgment was obtained, pledged the Bazaar Market as security for the payment of the debt, and that the seizure of the Bazaar Market created no other obligation, and that therefore the plaintiff in the judgment at law, the defendant here, cannot resort to other property of the defendant beyond that to which he was restricted in the obligation.

The building was constructed and leased for a period of ten years. Rent notes were given, but prior to the seizure the unexpired notes were withdrawn and delivered up to the maker. The defendant claims that the seizure of the Bazaar Market created no other obligation, and that therefore the plaintiff in the judgment at law, the defendant here, cannot resort to other property of the defendant beyond that to which he was restricted in the obligation.

It was conceded by the solicitors on both sides in this case that the defendant in this case owned the property belonging to the city is exempt from seizure; the discussion upon this branch of the case being altogether as to where the line limiting the exemption should be drawn. Much light is thrown upon this question by the decisions of the Supreme Court of the United States in the case of Edgerly vs. the Third Municipality, 1 A. 435, it was held "That taxes were not the subject of a levy under an execution, but that the property of the city was not liable to seizure under a fieri facias, and that the seizure of the Bazaar Market created no other obligation, and that therefore the plaintiff in the judgment at law, the defendant here, cannot resort to other property of the defendant beyond that to which he was restricted in the obligation."

In the case of the New Orleans and Carrollton Railroad, 1 A. 571, it was held that the seizure of the Bazaar Market created no other obligation, and that therefore the plaintiff in the judgment at law, the defendant here, cannot resort to other property of the defendant beyond that to which he was restricted in the obligation.

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AMUSEMENTS.

THE OPERA. There are few seats left for the opening night of the Fryer-Pappenheim Opera Troop (in "Trovatore") on Wednesday evening. The box seats for every performance during the week are open to the public.

Milton Nobles repeats to-night, the "Phoenix," whilst at the St. Charles Macalister will give another of his performances in magic, giving away one hundred presents again, including a marble-top dressing bureau.

The first prize was won last night by Master Horace Cammack, of No. 125 Constance street, who held the number 71.

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