THE CONSOLIDATED BOND CASE.

THE CITY ASKED TO LEVY A SPECIAL TAX.

The following petition, interesting to all the citizens of New Orleans, was filed yesterday evening in the Third District Court:

To the honorable the Third District Court for the parish of Orleans:

The petition of the State of Louisiana, on the relation of the Southern Bank, a corporation created under the laws of this State, domiciled and doing business in New Orleans, respectfully represents:

That, in the year of our Lord, eighteen hundred and fifty-two, during its regular session, the General Assembly of the State of Louisiana passed an act, entitled, "An act to consolidate the city of New Orleans and provide for the government and administration of its affairs," approved February 23, 1852, and promulgated as act No. 71, the thirty-seventh section whereof reads as follows, viz:

SEC. 37. *Be it enacted, etc.*, That the debt of the general sinking fund, commonly called the old city debt, and the debts of the three municipalities, whether in the form of bonds, notes, interest coupons, cash warrants, or any other species of obligation whatever, shall be assumed and paid by the city of New Orleans, and said city is hereby declared liable therefor. The Mayor, Controller and Treasurer and the chairmen of the finance committees of the two Boards of the Common Council, shall constitute a commission to be called the Commission of the Consolidated Debt of New Orleans; and they shall have power to issue bonds of the city of New Orleans, having not more than forty years to run, with interest payable at such place as may be agreed on between said commissioners and the parties to whom the bonds are issued, in semi-annual coupons, in exchange for any bonds, obligations or debts of the old corporation or of any of the municipalities, whether matured or not, or to sell the new bonds and apply the proceeds to the payment of the matured debts of the old corporation or of the municipalities, but to no other purpose. The bonds thus issued shall form a stock to be called the consolidated debt of New Orleans. At the time this act goes into operation, an exact and detailed statement of the indebtedness of the old corporation and of each municipality shall be filed in the office of the controller, by the secretary of the Board of Liquidators and the municipal controllers respectively, when the commissioners of the consolidated debt shall proceed to divide the debt of the old corporation between the several municipalities in proportion to the assessed value of real estate within the limits of each, according to the State assessment roll for 1851. The amount thus apportioned to each, together with its individual indebtedness at the time this act goes into operation, shall constitute the separate debt of each municipality, and shall be known as the debt of municipality No. One, No. Two, No. Three. The Common Council shall annually, in the month of January, pass an ordinance to raise the sum of $650,000 by a special tax, on real estate and slaves, to be called the consolidated loan tax, and the rate per cent of said tax, in each municipality, shall be in proportion to the indebtedness of each. All ordinances, resolutions or other acts passed by said Council, after the 1st day of January in each year, shall be null and void, unless the ordinance imposing the consolidation loan tax shall have been previously passed. At the end of each and every year, any surplus of the consolidated loan tax remaining in the treasury, after the payment of all the interest and the expenses of the management of said debt, shall be applied to the purchase, from the lowest bidder, of such bonds issued under this act, as have the shortest period to run; and the Common Council shall have the right of rejecting all bids demanding more than the face of the bonds; for which purpose public notice shall be given by the Controller in the official gazette for thirty days, inviting proposals from bondholders for the sale, to the city, of the bonds herein discribed. From and after the passage of this act, no obligation or evidence of debt of any description whatever, except those herein authorized, shall be issued by the city of New Orleans or under its authority; nor shall any loan be contracted, unless the same be authorized by a vote of a majority of the qualified voters of said city, which shall be taken in the manner prescribed by the City Council, after ten days' proclamation by the Mayor, in the newspaper chosen by the Common Council; and no ordinance creating a debt or loan shall be valid, unless such ordinance shall prescribe ways and means for the punctual discharge at maturity of the capital borrowed or debt incurred; and such ordinances shall not be repealed, until principal and interest of the capital borrowed or the debt incurred are fully paid and discharged."

That in the same year, the said General Assembly passed an act supplementary to the act just mentioned, which was approved on February 23, 1852, and promulgated as act No. 72, the fifth section whereof reads as follows, viz:

SEC. 5. "*Be it further enacted, etc.*, That the debt of the city of Lafayette shall be assumed and paid by the city of New Orleans, and the said city of New Orleans is hereby declared liable therefor; and the amount of said debt shall be ascertained, and its payment provided for, and made in the same manner, as the debt of each municipality of New Orleans is ascertained and provided for in the act to which this act is a supplement; and in raising annually the consolidated loan tax for the payment of the debt of New Orleans, an additional sum of $50,000 shall be raised for the purpose of providing for the debt of the city of Lafayette, now added to that of New Orleans, so that the whole amount of the annual levy of taxes for the payment of the debt of New Orleans shall be $600,000;"

That in furtherance of said section 37, as amended by said section 5, of the General Assembly, the city of New Orleans, a municipal corporation created by charter from the General Assembly of said State, established and existing within said State, has issued bonds according to the tenor of said law for some $10,000,000, in exchange of the bonds, obligations or debts of the three municipalities in existence at the time of the adoption of said acts, for which said city of New Orleans was liable, and that all the bonds so issued by said city were used for the purposes contemplated by said acts;

That by the provisions of said section 37, as amended, the Common Council of said city was commanded annually, in the month of January, to pass an ordinance to raise the sum of $650,000 by a special tax on real estate, to be called the consolidated loan tax, to be applied first to the payment of all the interest of said bonds, and any surplus to the purchase, from the lowest bidder, of such bonds as have the shortest period to run; and it was provided by said law that all ordinances, resolutions or other acts passed by said Council after the first day of January in each year shall be null and void, unless the ordinance imposing the consolidated loan tax were previously passed;

That the bonds so issued were negotiable securities, and by reason of the restrictions imposed by the act providing for the issue and the clear and comprehensive provisions for the payment of the interest, the gradual reduction of the number, through a sinking fund, the bonds were negotiated *at, and above par value*, and have been distributed, on the markets of Europe and of the United States, in due course of business, as a secure, permanent and trustworthy investment; that the free banks of the State of Louisiana were compelled by law to invest in said bonds to secure their circulation, and that persons and corporations have invested their moneys in said bonds, with unfeigned confidence in the terms of said section 37, for the maintenance and enforcement of which the public faith of the State of Louisiana and of the city of New Orleans was solemnly and irrevocably pledged;

That of the bonds so issued by said city, more than 5,000,000 have been retired, and that there are outstanding of bonds, so issued, more than 4,000,000—interest coupons of which, maturing in the years 1876 and 1877, remain unpaid;

That of said outstanding bonds, together with coupons matured in said years, and all subsequent coupons up to the maturity of said bonds payable semi-annually, and each for $30, relator owns upwards of 600;

That, in violation of the provisions of said section 37 of said act No. 71 of 1852, which constitutes a contract in favor of the holders of said bonds, and binding on both the State of Louisiana and the city of New Orleans, the Legislature of said State has passed an act, entitled "an act to postpone the levy and collection, by the city of New Orleans, of a tax for sinking fund for the purchase of its bonds, to authorize the Administrators to modify the last budget and tax levy, and to repeal conflicting laws and penalties," which was approved on the 12th of March, 1874, and promulgated as act No. 63, and that the patent object of said act was to dispense the Administrators of said city, until the month of December, 1876, from the duty of estimating, levying and collecting any tax for a sinking fund for the purpose of purchase of any of the bonds issued under the provisions of said section 37 of said act No. 71 of 1852.

That, in further violation of the said section 37, which constituted, as aforesaid, a contract, the Legislature of said State has passed an act entitled "an act to adjust, regulate and provide for the bonded debt of the city of New Orleans," etc., etc., etc., approved March 6, 1876, and promulgated as act No. 31, the avowed object of which was to impair, if possible, the obligation of said contract, and divest the rights vested thereunder, by prohibiting said city from levying any tax, for any year, under the provision of said section 37 of act No. 71 of 1852, by attempting to shackle judicial tribunals, and to repeal the said section and the amendment thereof, as fully appears by section 7 of said act No. 31, which reads as follows:

SEC. 7. *Be it further enacted, etc.*, That no tax for the payment of bonds or interest on bonds other than that authorized by the preceding sections, shall be levied either for the year 1876, or any year or years thereafter, by the city of New Orleans, and that all existing laws requiring or authorizing the City Council to levy any tax whatsoever for bonds or interest on bonds, other than said premium bonds, be and the same are hereby repealed, and it shall be hereafter incompetent for any court to mandamus the officers of said city to levy and collect any interest tax other than that provided in this act, or in case of such mandamus, by a receiver, or otherwise, to direct the levy and collection of any such tax.

That both of the acts last named are in direct conflict with article one, section ten, paragraph one of the constitution of the United States, as divesting the vested rights of relator under said acts of 1852, and as impairing the obligation of the contract of relator with the said State and city, and should be held and declared to be unconstitutional, null and void, and of no effect.

That the Legislature of said State passed an act entitled "an act to extend the limits of the parish of Orleans," etc., etc., approved March 16, 1870, and promulgated as No. 7 of the acts of said year, having for its object to abolish the city of New Orleans as organized under act 71 of 1852 and by subsequent acts, and to repeal or modify to a certain extent the provisions of said acts, and to create and organize another city of New Orleans, in which it is especially provided that the debt generally known as the consolidated city debt, existing under the provisions of section 37 of said act 71 of 1852, shall be assumed and paid by the city of New Orleans incorporated by said act, and the said city was declared liable therefor; that the commissioners of the consolidated debt of the city shall be the Mayor, the Administrator of Finance and the Administrator of Public Accounts, who shall perform all the functions and be vested with all the rights and powers heretofore vesting under previous acts in other named officers.

That the sections of the acts of the General Assembly of the State, in the year 1852, before referred to and quoted, providing for the consolidated stock of the city of New Orleans and its issue in exchange of existing and acknowledged municipal debts, and stipulating the annual levy and collection of a special tax to pay the accruing interest and the reduction of the principal, in the mode specified, as well as the power and duty and obligation of levying, collecting and applying the said special tax, constitute a contract binding upon the said State, the said city of New Orleans, in favor of the holders of the bonds so issued and negotiated, and that the same cannot be impaired, abrogated or neglected under the authority of the State, without a violation of the constitution of the United States and of the State of Louisiana, and that the various acts of the State and of the city, postponing and altering the operations of the acts first mentioned, are inadequate and ineffectual to release the city of New Orleans from their obligation to perform the contract aforesaid, in all its parts, and especially from the duty of levying, collecting and applying the said special tax in the manner contemplated by said laws hereinabove quoted.

That the Mayor and Administrators of said city of New Orleans, in utter disregard of said section 37 hereinabove quoted, and of the amendment thereof, in open contempt of their duties, and of the right of relator and of other bondholders alike situated, have persistently and willfully refused and neglected, for the years 1874, 1875, 1876 and 1877, to perform the duties imposed upon them by laws relative to the raising and application of the special tax provided to pay the matured coupons and purchase the bonds issued under the provisions of said section 37.

That the Mayor and Administrators of said city have not only failed to levy said special tax, but have actually levied upon the real estate subjected to the special tax to be raised for the payment of the consolidated loan tax, other taxes to meet other bonds issued by said city, in violation of the prohibitory clause to be found in said section 37, which forms part of the contract aforesaid, and was intended as a valid restraint upon the powers of the State and of the city to incur new obligations, and that the taxes so illegally assessed were applied not only to said illegally issued bonds, but also to other illegal purposes.

That had the salutary prohibitions and restrictions of power contained in said section 37, and which formed part of the contract aforesaid, been observed and enforced, "an immensity of extravagance, corruption, wastefulness, unnecessary and grievously burdensome taxation, bankruptcy, moral and financial ruin, might have been spared to the people of Louisiana," and particularly to the tax payers of the city of New Orleans, and the apparent actual bonded debt of the city of New Orleans, illegally swollen to some twenty-three millions, would be to-day only some four millions and odd hundred thousand dollars.

That, by reason of such illegal issue of bonds, the real estate, subject to taxation, in favor of the consolidated debt, was overwhelmed, under apparent sanction of law, by such excessive and exorbitant taxation, that property holders found themselves unable to bear the additional burden, and the consequence has been, even in the later days, when the special tax was still imposed, that taxpayers have, in almost innumerable instances, suspended payment, and the tax intended to be raised for the consolidated debt has not been met and satisfied, and a debt which, though in reality the best secured, has remained dishonored, and the wholesome restrictions, forming part of the contract relative to the issue of said consolidated bonds, and which were designed for the protection of the taxpayers and citizens generally, have fallen in contempt, and the real estate within city limits has lamentably sunk in value, to the great injury of both taxpayers and holders of said consolidated bonds.

That the said Mayor and Administrators have, by all sorts of technicalities, though frivolous and unfounded, sought to contest, judicially and otherwise, the validity and integrity of the bonds issued under said section 37, and their obligation to levy said special tax—a validity and integrity which have, however, from time to time been formally and solemnly recognized and proclaimed by numerous subsequent legislative enactments, viz:

1852, Nos. 72, 142; 1854, Nos. 108, 109, 110; 1855, No. 166; 1858, No 164; 1859, No. 133; 1860, No. 3; 1869, No. 49; 1870, No. 7; 1872, No. 73; 1874, No. 53; 1876, No. 31.

That the Council of the city of New Orleans have intentionally omitted and failed to levy on the real estate in said city, or otherwise, the said annual tax of $650,000, for the purposes of said section 37 of act 71 of 1852, and the supplement thereof, which it was made their peremptory duty to levy, collect and apply, as is stated in said act No. 71 and the supplement thereof, and that the consequence has been that bonds issued under the provisions of section 37 have not, since the year 1874, been redeemed, and the coupons thereof, maturing on and since July 1, 1876, have not been paid.

That the present Mayor and Administrators of said city were specially and duly put in default, in December, 1876, to levy the said tax of $650,000 for the year 1877, and that they have refused and failed to levy the same as it was their bounden duty, and that they have, in the same manner, been lately notified to levy the said special tax for the coming year 1878; and have, notwithstanding said notice, adopted a budget of expenditures for 1878, whereon they have intentionally omitted to place the amount to be raised to meet the consolidated bonds and coupons aforesaid; and whereon they have placed an amount to meet bonds illegally issued, as aforesaid, with the intention hereafter of levying a tax to realize said last mentioned amount; the whole to the great injury and damage of relator and of other bondholders similarly situated, so that sums which should be raised and applied to the extinguishment of the consolidated loan debt will be, as in the past, wrongfully diverted from their legitimate objects and applied to unlawful purposes.

That relator has demanded payment of the said matured coupons, and that the same have not been paid, the Mayor of said city and the Administrator of Finance answering that there were no funds out of which to pay the same.

That the said city and the taxable real estate within its limits are liable for the payment of said matured coupons and for the purchase of said bonds, to the extent of $650,000 per annum, for the years 1874, 1875, 1876, 1877, 1878, less coupons paid for 1874 and 1875, the amount of which relator knows not, and, whereas said city has not funds to satisfy said obligations, the Council of said city and the members thereof, who went in office under the operation of said section 37, should be constrained, by the process of this court, to levy, collect and apply the said special tax, for the years during which it should have, and has not, been raised, and this, by a separate tax, and assessment for each year, on the real estate within the city.

That the city of New Orleans is estopped from denying the validity and integrity of said bonds and coupons, and the obligation, on the part of her Council, to levy said special tax, under the provisions of said section 37 of said act 71 of 1852, by reason of the judgment rendered by the United States Circuit Court for Louisiana, in the case of Rosalie Maenhaut et al. vs. the City of New Orleans, No. 7423 of the docket of said court, wherein said city had denied liability for said debt, and wherein the said court has declared said section 37 to be a contract, binding upon the State, the city and the bondholders, and has ordered and compelled a distribution of taxes realized, and has reserved all the rights of the complainants to a mandamus, to compel the levy, collection and application of said special tax, at a future time, to its legitimate objects.

The premises and showing herein made being considered, petitioner and relator pray that writs of mandamus and injunction issue herein commanding E. Pilsbury, the Mayor of the city of New Orleans; J. C. Denis, Administrator of Finance; J. G. Brown, Administrator of Accounts; John McCaffrey, Administrator of Improvements; J. D. Edwards, Administrator of Waterworks; Charles Cavanac, Administrator of Commerce; R. E. Diamond, Administrator of Police; J. E. Rengstorff, Administrator of Assessments, the last seven being members of and composing the Council of said city of New Orleans, at once to levy by separate and distinct assessments, and hereafter collect and apply, under the provisions of section 37 of act No. 71, approved February 23, 1852, a special tax of $650,000 for each of said years 1874, 1875, 1876, 1877, less coupons paid for 1874 and 1875, to meet the coupons overdue and unpaid, and to purchase bonds issued under said section by the city, as well as a like tax for the year 1878, for the purpose of paying the coupons maturing that year and purchasing bonds, as contemplated by said section 37, and forbidding and enjoining said Mayor and Administrators from levying any tax on the real estate within the limits of said city, which is subject to special taxation, in favor of the consolidated loan debt, under said section 37, to the injury and prejudice of said consolidated debt, and without first providing therefor, or show cause, in writing, within such time as this court may fix, after service of the petition, order and writs herein on them, why said mandamus should not be made peremptory, and said injunction perpetuated; that the city of New Orleans and said Mayor and Administrators be notified, as the law provides, of these proceedings, and that, after due hearing, said mandamus and injunction be so made peremptory and perpetual, and that the amounts so raised be exclusively applied to coupons and bonds held by relator and others likewise situated; that all other obligations issued be annulled, if found to have been issued without authority, reserving to petitioner and relator recourse to personal process, and in damages against each and all said municipal officers, against their property and that of their official sureties; and to a writ of *distringas* against all their revenues and against all the revenues of said city of New Orleans, until the mandates of this honorable court shall have been fully obeyed and executed. And they pray for such other and further relief, in the premises, as the nature of the case may require and the law permit; and, as in duty bound, etc.

J. A. CAMPBELL,
E. BERMUDEZ,
Of Counsel.

The Judge then issued an order that defendants show cause on the 5th of January, 1878, at 11 o'clock a. m., why the injunction prayed for shall not issue, and has also ordered alternative writs of mandamus to issue, returnable on the same day.

THE ELECTION YESTERDAY.

As will be seen by the tabulated statement published below, and the slim vote polled, there was little or no excitement in the Tenth and Eleventh Wards over the senatorial election yesterday. Out of over 1500 voters who registered in these wards only 813 cast their ballots. Early in the afternoon it was generally believed that Mr. O'Donnell had the election, and the subsequent count verified this anticipation. The following is the vote:

WARD NO. 10.

	J. G. Fleming.	C. O'Donnell.	Keiser.	Scattering.
Poll 1	1	12	..	1
Poll 2	7	30	14	..
Poll 3	4	23	8	..
Poll 4	5	18	2	..
Poll 5	3	19	6	..
Poll 6	10	30	3	..
Poll 7	16	35	..	..
Poll 8	10	18	..	..
Poll 9	5	31	1	1
Poll 10	34	29	4	1
Poll 11	17	13	..	..
Poll 12	21	14	..	..
Poll 13	13	4	1	2

WARD NO. 11.

	J. G. Fleming.	C. O'Donnell.	Keiser.	Scattering.
Poll 1	9	31	3	..
Poll 2	10	31	..	..
Poll 3	14	29	3	..
Poll 4	11	17	3	..
Poll 5	8	21	1	..
Poll 6	20	19	..	..
Poll 7	13	23	..	..
Poll 8	18	16	2	..
Poll 9	28	18	..	..
Poll 10	3	10	..	..
Total	271	488	52	4

Grand total, 813.

THE BAZAR MARKET.

The Bazar Market was sold yesterday at 12 m. by the U. S. Marshal, under fi. fa. issued in the suit of John A. Morris vs. The City. The two appraisers, Messrs. Wurzburger and d'Hemecourt, disagreeing as to the value of the property, the former placing it at $84,000 and the latter at $140,000, the Marshal appointed as umpire Mr. John Devonshire, who fixed the appraisement at $100,000. Mr. Francis T. Howard, a son of Mr. C. T. Howard, was the purchaser at $67,000, he being the only bidder.

WEATHER AND RIVERS.

The Chartres street "Probs," Frigerio, announces a slight moderation in the temperature for to-day, but "dry, cold and cloudy," and fixes the average temperature yesterday at 51 degrees above zero.

The 6 a. m. Signal Service telegrams show a continued rainfall during Friday night at Memphis, Nashville, Shreveport, Vicksburg, Augusta, Ga., Corsicana, Mobile, Montgomery and Savannah; and the 3:15 p. m. reports show a heavy rain at Louisville and light rains during yesterday at nearly every river point reported.

The strong winds prevailing along the Gulf coast continued yesterday, the velocity at Galveston being 38 miles an hour, and at Key West 26 miles an hour.

The river telegrams show a rise of 16 inches at Cairo, 4 at Dubuque and Leavenworth, 15 at Memphis, 8 at Nashville, 1 at Shreveport and St. Louis, and 10 at Vicksburg.

ARRIVED HERE.

Gens. Wright and Barnard, of the United States army, arrived here yesterday, and will start to-day for the jetties at South Pass. They come under the order of the Secretary of War to inspect Capt. Eads' work and to verify the soundings already made and on which the second payment of $500,000 is based.

MUMM IS THE WORD.

The DEMOCRAT is indebted to Messrs. Schmidt & Zeigler for a few hours of divine afflatus and pleasurable enjoyment drawn out from a few bottles of champagne. There was the dry Verzenay, a wine fit to be drunk by the gods in ambrosial feasts, cloud environed, in the high empyrean. Its amber color whets the appetite and its delicious taste only cloys it by too much indulgence. The Mumm & Co. which accompanied it is lighter, but sprightlier. It is called extra dry, perhaps because the more one tastes of the nectar the more he feels like taking another sip. It ought to be called the "H veuez y—"

J. R. Walker, D. D. S., 180 Delord street.

THIS WEEK ONLY.—Every purchaser of $1 worth of tea at 5 Camp street will receive a handsome Chinese tea canister free of charge.

THE TREASURY INVESTIGATION.

DUBUCLET DENIES THAT ANY FAVORITISM WAS SHOWN.

And Says the Taxes Have not Been Turned in so Promptly in Ten Years.

The legislative committee to examine into the affairs of the State Treasury met last night, Senator White, chairman, and Representative Keeting being present.

Mr. F. Dubuclet, cashier in the Treasurer's office, recalled:

To Mr. Keeting—Regarding the former testimony of Mr. Lambert, and his not being able to

HAVE HIS WARRANTS CASHED,

would say that the report shows that the money he referred to as being in the treasury, as shown by the report, was to the credit of another fund. He said before this committee that he owned $1600 in warrants, those alluded to; and before the Aldige committee he said it was $8000. He stated before this committee that he purchased them at sixty-five cents on the dollar, and these very warrants were

CLAIMED BY MR. HERNANDEZ

as his property.

Referring to the former testimony of ex-Tax Collector Dumas, in the matter of myself sending parties to him to have warrants cashed, and that such was repeated at almost every settlement, I would say that he called at the office, when I invited him to bring the parties that had used our names, and he didn't do it, and from that time he did not offer any more warrants.

Referring to Mr. Kline's testimony wherein it was claimed that one of his warrants amounting to $1228 was held a long time, he had my promise that it would be paid when the amount was collected. He sent for it the day it was paid, and at the time I said to his partner that he was wrong in withdrawing it as

I COULD PAY IT SOON.

It was sold and presented the same day by Senator Landry. I remarked to him that I had promised to pay it, and as I had promised I would insist on Mr. Kline being present. Mr. Kline was sent for and came, objected to the payment, but I said I had nothing to do with outside transactions, and paid it in his presence.

Referring to the testimony of Geo. Herbert everything is correct, although he ought to have explained at more length. He says "that some one had received a certain amount of money in the Treasurer's office," referring to the warrant purchased from or collected for him by Mr. Norcross. The Treasurer sent for Mr. Herbert immediately, and told him to

WAIT IN HIS OFFICE

until Mr. Norcross could be sent for. He came, but Mr. Norcross could not be found that day, and the Treasurer told him to come next morning, and after that they arranged the matter between them exclusive of the Treasurer, and he wrote the Treasurer that everything had been arranged satisfactorily between them.

Referring to the overdrawn drafts or checks, the witness explained how one for $1085 was made by mistakes in entries to the credit of different funds, when, before the error would be discovered in checking, the over-check might issue.

As the settlements of tax collectors and the simultaneous payment to them of warrants, as alleged by some of the former testimony, the witness stated that it

HAD NOT BEEN DONE,

except in cases where the warrants were those sent by parish officials for salaries. In many instances these officials would send their warrants to the Treasurer and request him to pay them to the tax collector when he made his settlement, as it was too expensive for the officials to come down and collect them personally. In the Lanier case, where it was thought a check was issued before the deposit was made, the witness stated that Mr. Lanier had received the check, and, coming to the office late, had just time to make the boat, when, as a matter of accommodation, I cashed the check.

To Mr. White—Cannot form any idea of the amount of warrants on file in the office in 1876 awaiting payment.

Mr. White—We will take the statement made by the expert that nearly two-thirds of the whole amount of the general fund warrants for that year was paid to four persons. Those four have been before the committee and testified that they have been to the Treasurer's office but rarely. Now, others owning warrants testify that they have been there

DAY AFTER DAY,

and could not get their warrants cashed. How would you explain that?

The witness—There was complaint always against back warrants or warrants of previous years. You have heard none this year. It is where the taxes have become delinquent and the collections are small that the holders complain.

Mr. White—Mr. Kline, I think, testified that he had a list on file, and that he sold them, and I find that on the very day after he sold them seven of those same warrants were paid to these very people, Messrs. Newman, Norcross and Batteneaud. How would you explain that?

Witness—I suppose I had no money one day, and might have had it the next.

Mr. White—I find twenty-seven warrants in that list, and the only ones paid were those he sold to the parties named.

Witness—These were all outside transactions. I make the check to the parties in whose favor the warrant is drawn, indorsing on the warrant the name of the party presenting the warrant, but do not know what becomes of the checks after they are outside of the office.

Mr. White read a list of warrants, numbers 5739, 5711, 5733, 5738, which he said were found to have been paid.

TO THOS. C. ANDERSON,

and indorsed by authority of the State Treasurer, paid June 5, 1875, but no check was given; that Mr. Dumas made a settlement on that day, and the warrants were paid to B. Bloomfield & Co., the chairman asking if this was not a singular coincidence.

Witness—Do not recollect any such indorsement on warrants unless they were shown me. It is not singular that they should have been paid on the day Dumas made the settlement.

Mr. White continued—Warrant 7381 is indorsed: "A. Dubuclet promised to take this in settlement from John Kerrigan in the presence of Geo. E. Bovee and F. Dubuclet;" is that not singular?

Witness—I deny any such thing; that any such promise was made in my presence.

Mr. White—Warrants (1875) Nos. 2503 and 2506, paid April 23, 1875, are indorsed, "I have received the amount of these in cash from E. H. Gruber" (collector).

Witness—Yes, that warrant was paid in cash.

Mr. White—Mr. Batteneaud testified that he was a general collector of warrants; that he held a certain amount and collected within a few dollars of the entire amount, while others testify that they were at the Treasurer's office every day and

COULD NOT COLLECT.

Don't you think that a singular fact?

Witness—Can you give me some of the names?

Mr. White—I do not remember all now, but Mr. Kline was one.

Witness—That was an exceptional case, and by a statement I have with me I can show that he collected $5743 66 out of $10,000.

Q.—Have you had any conversation with Mr. LeBlanc since he testified before this committee?

A.—He came in the office

Q.—Did you say to him that since he testified you would not pay his warrants?

A.—No. He had no warrants there. I told him I would not pay him upon the warrants his nephew had there on file, and I did pay the nephew since.

To Mr. Keeting—I try to make no distinction in the payment of warrants, but find it a very difficult task, owing to the size of the warrants, and have grown old trying to fix this thing in some way in my mind and in trying to give satisfaction. Some have large warrants and some small, and it is hard to divide it and make equal payments. Would like to see the Legislature regulate it.

Mr. White—With your experience, what would you recommend as a remedy?

The Witness—According to my experience, the best thing to do is to have a fund for salaried officers of the State. Have their warrants registered, and have payments made by the numbers as registered. Then, the State should allow interest from the time of the registry until payment; and this would not incur a debt, as the penalties on back taxes could go to the payment of the interest. And in this way I would separate the salaries from the other debt.

To the questions which followed the witness stated that, in his opinion, there was an unconstitutional excess of over $200,000 in the warrants issued in 1875, and that during the present year there has been no complaint from warrant holders at all; that he has now from $50,000 to $60,000 cash to the credit of the general fund, and that such a state of affairs (financial) had not occurred before for the last ten or twelve years; that there was not an outstanding warrant now of this year, and, with the parishes to hear from, there would be plenty to pay the last quarter's salaries of State officials.

Adjourned until Wednesday next at 7:30 p. m.

MUNICIPAL MATTERS.

THE LEVEES ACROSS THE RIVER.

Yesterday Surveyor D'Hemecourt, while in the Mayor's parlor, was told by his honor, Mr. Pilsbury, that the levees on the right bank of the river should be attended to immediately. The Surveyor, who is a meek and modest man, said that he thought so himself, and had made a report on the subject several months ago, and he walked out of the Mayor's parlor like a man who was satisfied that he had not been forestalled.

THE ROW ON THE LEVEE.

The Mayor received a communication yesterday addressed to Administrator Diamond by the Chief of Police concerning the charges made by Capt. U. D. Terrebonne, of the steamer W. J. Poitevent. The communication promises an early and thorough investigation of the matter.

THE BAZAR MARKET CASE.

The sale of the Bazar Market was the subject of conversation between the Mayor and Surveyor d'Hemecourt yesterday. Possession of the market by the purchaser cannot be obtained before December, 1880, and as to the revenues accruing to the city from the lease of the grounds, all the notes given therefor have long since been discounted. The case, the Mayor says, will certainly be brought to the U. S. Supreme Court for final decree.

THE CITY PRINTING.

There was no quorum present at the special meeting called by the Mayor yesterday to pass upon the bids for the city printing. Among the Administrators absent were Col. Denis, who was summoned to appear as a witness in one of our courts, and Capt. Edwards, who has not yet returned from his trip to Texas. A legal question may have also interfered with the meeting of the Council, which is that it was called by the Mayor without the request of the requisite number of Administrators.

EXHIBITION AT ST. MICHAEL'S HALL.

On last Friday evening the pupils of Mr. H. A. Blake gave an exhibition in St. Michael's Hall, in which the musical ability of each of the pupils was well displayed.

As a mark of their esteem for their professor, and as a slight token of appreciation for his faithful services, Father Heslin, pastor of the Church of St. Michael, on behalf of the young ladies, presented Mr. Blake with a beautiful gold medal, accompanied with a written address, which was read by Miss Mary Broderick.

There was a large audience present. The venerable person of his grace, the Archbishop, who was accompanied by Father Austaett, occupied a prominent position in the hall.

Owing to the inability of a number of persons to be present on account of the weather, the exhibition will be repeated to-morrow, New Year's Eve.

PERSONAL.

Mr. John Clegg, the polite and efficient Clerk of the Senate, arrived in the city yesterday ready for business on the assembling of the Legislature.

Our fellow citizen, Judge Albert Voorhies, who has been on a short visit to Pointe Coupee, returned home yesterday.

Senator E. W. Robertson, of St. Landry, arrived in the city yesterday to be at his post on the assembling of the Legislature.

BREVITIES.

The customs and other Federal offices will be closed on Tuesday.

The Rose Bud Social Club of the Third District to-morrow will give a fancy dress, calico and mask ball at Louisiana Hall. The occasion will doubtless be an enjoyable one.

On Monday, January 7, at Odd Fellows' Hall, the Order of Knights of Temperance will publicly install their officers, following which will be given a select ball. We are indebted for invitations.

The ball of Jefferson Conclave No. 1 came off last night at William Tell Hall, Gretna, with all appropriate pride, pomp and circumstance. The ladies were beautiful, the men tidy and gallant. It was a complete success.

On Saturday evening, January 19, the Arlington Glee Club will give one of their select soirees at Exposition Hall, when the many friends of this justly popular organization will crowd that spacious building to pay their devoirs to the Arlingtons.

The grand fancy dress and masquerade ball given by Covenant Lodge No. 17, I. O. O. F., at Perfect Union Hall, was a grand success, and those who had the pleasure of being present will long remember the night's enjoyment.

The third fancy dress and calico ball given by the Spanish Union Benevolent Association took place last night at Grunewald Hall. The entertainment was one of the most delightful of the season, and the different committees did everything to make their guests have a good time.

CITY ECHOES.

A man named Chas. Norton was on Friday sent to the Charity Hospital in a sick and destitute condition.

Wm. Nelson is in the Third Precinct Station, charged with reckless driving.

For the larceny of $9, the property of Eli Clark, Rosa Lee was locked up in the Third Precinct Station.

Thos. Mathess was immured in the Central Station, charged with stealing articles valued at $100 from Jessie Reynolds.

Geo. Grevy, for assault and battery on Louis Kaintz, was yesterday sent before the First District Court under bonds of $250.

J. Newhouse, charged by Mary Albert with assault and battery, was yesterday sent before the First District Court under bonds of $250.

Ann Kelly, an old woman aged 90 years, was locked up in the Central Station, charged by Ada Clifton with the larceny of articles valued at $75.

Sandy O'Neil was locked up in the Sixth Precinct Station, charged with having wearing apparel in his possession supposed to have been stolen.

John Thompson, accused by officer Walsh with assault and battery on him, was yesterday sent before the Superior Criminal Court under bonds of $500.

A roustabout named Moses Williams, while working on the steamboat Willie, accidentally fell down the hatchway at 1 o'clock yesterday and was injured about the body.

The residents in the vicinity of No. 38 Port street are complaining of the stench arising from the defunct carcase of a mule, which has been lying at the above place for three days.

At 9 o'clock Friday night a septoline oil lamp exploded at the bar room No. 45 Franklin street. Mr. Corelius, the proprietor, in extinguishing the flames was severely burned about the left hand.

At 6 o'clock yesterday morning a fire broke out in the kitchen of the steamboat Bertha, lying at the head of Conti street. The flames were extinguished by those on board with slight damage. No alarm was turned in.

At 6 o'clock yesterday morning a woman named Charlotte Carter was found dead in her bed at her residence, corner St. Claude and Spain streets. The coroner held an inquest and returned a verdict of congestion of the brain.

20,000 handsome Chinese cans will be given away this week at the Tea Depot, 5 Camp street.

AMUSEMENTS.

THE OLD DRURY

re-opens again to-night for a short season of minstrelsy under the leadership of Cal Wagner, an old favorite here, who brings with him a full corps of singers, dancers, humorists and specialty artists, which we have every reason to believe will please.

At the Academy Maggie Moore and J. C. Williamson made their first appearance in this city, in the American drama of "Struck Oil." On New Year's Day, at the matinee, toys will be distributed among the audience.

At the Varieties to-night,

DANIEL DRUCE

the beautiful love story of W. S. Gilbert, will be presented for the last time. On Monday another holiday week begins at this theatre, and on New Year's Day, at the matinee, not only will a lot of new toys be distributed among the guests of Manager Hall—every holder of a ticket being entitled to a prize—but the handsome miniature double team of Santa Claus will be given to the lucky young one whose number is drawn first from the box, in which every visitor to the theatre has a chance.

THE FRENCH DRAMA.

Last night Emile Augier's splendid comedy of "Le Gendre de Mr. Poirier" was presented at the Opera House by the French Dramatic Company of Mr. Durand. The part of Mr. Poirier was performed by our old friend, Mr. Chamonin, the *grand first comique* of the troupe, and an old acquaintance of ours, in a manner to defy criticism. As we have already said, we will speak of the artists of Mr. Durand's company at length, as soon as a favorable occasion shall present itself. What we have seen of them already satisfies us that it contains actors of the highest order, and that the success of the company is assured.

Roy Sent to Prison.

The individual Roy, who is said to have some half-dozen aliases, and who is wanted in Baltimore for abduction and rape, was yesterday arraigned before Judge Smith and remanded to the Parish Prison, without bail, to await the arrival of the officer who is to convey him back to the scene of his crime.

From a large number of bogus railroad checks and papers the accused is identified as John F. Claxton, the confidence chap who made a large amount of money in Cincinnati playing conductor and passenger agent.

A Tramp's Terrible Ride.

[Cheyenne Leader.]

A tramp who arrived here a few days ago from the West gives his experience in dead-heading it over the Union Pacific from Cheyenne to Green River, on the Jarrett and Palmer train, by climbing upon the roof of a coach. He says that from Cheyenne to Sherman he rather enjoyed the ride, but that between Sherman and Green river his experience was one never to be forgotten. The rapid movement of the train and the rocking of the coach forced him to wind his arms and legs around a stove-pipe and hang on for dear life. His hat flew off early in the ordeal, and after the train left this city he was discovered by the engineer, who began throwing a heavy shower of cinders, but so rapid was the movement of the train that the heaviest ones merely cut through his clothes like bullets, while the lighter sparks passed over him. His coat-tails flapped so hard that he realized he must part with them, but he dared not loosen a hand to tuck them under him, and they were soon torn off to blow away. Although he managed to keep his face behind the pipe nearly all the time, he was frequently struck in the face by flying cinders, so that when he reached Green river his face and neck were badly cut and scratched. So great was the poor tramp's fear of being thrown off and killed that this, added to the terrible strain of hanging to the pipe by main strength for so long a distance, and the intense sufferings from the wounds inflicted by the cinders, caused his hair to turn gray, and when he climbed down at Green river he looked like a man who had seen fifty instead of twenty-two summers.

Poisoning of the Rhine.

Rhenish papers have published long accounts of a remarkable case which recently happened on the beautiful Rhine. A vessel, heavily freighted, and having also about 2500 casks of arsenic on board, on coming down the Rhine, had at Bendorf, between Neuwied and Coblentz, a collision with a steamer, on which occasion some of the casks fell overboard and others were obliged to be thrown into the river in order to lighten that vessel. In the excitement of the moment it was believed that part of the arsenic had impregnated the water. The authorities were immediately applied to, and a public warning issued against using the water of the Rhine. Fortunately, it was afterwards ascertained that none of the poison was lost.

He Didn't Take Risks.

At a happy spot where a number of negroes reside, an old negroes was heard calling out to his wife: "Manda! is you got dem chickens shut up in the smoke house, like I told yer?" "No; an' I'd like to know what's de matter with you, dot you're so tickler 'bout dem chickens all at once?" she replied. "Nebber you mind. I know what's de matter, an' dat's 'nuff till dem chickens is housed. When I hear dat dem niggers ober dar in the next yard is gwine to hab a party to-morrow night, I wants to be shore my chickens doesn't 'tend it."—[Chicago Post.

The young ladies of Seneca Falls, N. Y., recently formed themselves into a society and took solemn vows never to speak to any young man who did not practice total abstinence from beer and alcohol. The young men of the town immediately called a meeting, organized, and solemnly swore they would never again speak to any girl who padded her form, wore false hair or paper bustles, painted, powdered, wore corsets or long pantalettes, and who wouldn't allow herself to be hugged and kissed. The girls couldn't stand this, wilted, and that temperance society was broken up.

He was a dapper young man, and had been detailed by a perching party, of which he was a member, to look after the lunch basket. "How much for pickles?" he asked, as he entered a Tihonet village grocery store. "Two cents apiece is the regular price," responded the merchant; "but here is one with the end bitten off which you can have for a cent."

The Burlington *Hawk-Eye* asks: "Don't you suppose, if the Lord had known the time was coming when such fellows as John Morrissey and scallawag Patterson would make laws for this country, he would have told Noah to pay off the men and stop work on the ark, as he had decided to postpone the flood five or six thousand years?"

Dr. Dio Lewis, of anti-mince-pie fame and bran bread infamy, is now astride a new hobby-horse. In feather pillows the doctor has discovered, not b—gs, but the Herod of our modern civilization. He attributes the majority of deaths among young children to overheated brains, the result of lying on feather pillows.—[Boston Herald.

Even an epitaph may by some unforseen accident tell the truth. The old French saying, "To lie like a funeral sermon," is not always applicable. Near Paris a headstone, with this inscription, startles the visitor: "Here repose in peace, after forty years of married life, Pierre Bigot and his wife." The suggestiveness of that announcement is alarming.

The color of a girl's hair is regulated by the size of her father's pocketbook. If the latter be plethoric, the girl's tresses are golden or auburn. If the old man's wallet is lean, we hear the daughter spoken of only as "that red-headed gal." You never saw a rich girl with red hair.—[St. Louis Journal.

There is a place in California where oysters grow on trees, and the woods are made musical by the clatter of the shells as they are shut together to keep the sun out. This California story is repeated from memory, and we are not sure but we have slightly enlarged upon it.—[Worcester Press.

"When a girl gets mad and rises from a fellow's knee," says an exchange, "but thinks better of it and goes back again, that's what they call a relapse." And here we have been working for dear life to keep off a relapse, under the impression that it was some way related to cholera morbus.—[Rome Sentinel.

CLOAKS AND SHAWLS.—M. L. Byrne & Co., 163 Canal street, will offer this week their entire stock of cloaks and shawls at immense reductions.

20,000 handsome Chinese cans will be given away this week at the Tea Depot, 5 Camp street.