THE NEW ORLEANS DAILY BEE.
DUPOY, JR & LIMET, PUBLISHERS.
No. 72 Chartres Street.
TERMS OF THE BEE
Terms of Subscription—Daily, per annum, in advance, $10; half yearly, $6; quarterly, $4.
Price of the paper—Single copies, 10 cents.
The Bee Weekly is published every Tuesday and Saturday. Subscription $4 per annum, invariably in advance.
Rates of Advertising—Standard advertisements, shown on the pages, first insertion $1 50 per square, each subsequent insertion, 75 cents per square.
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All Advertisements not marked for any number of insertions, will be published six times.
All bills with regular advertisements, shall be rendered monthly.
NEW ORLEANS:
WEDNESDAY MORNING, DEC. 2, 1868.

The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, WEDNESDAY MORNING, DECEMBER 2, 1868. Vol. XLI.—Whole—14,613.

THE OPELOUSAS RAILROAD CONTROVERSY.

The people of New Orleans and of the State of Louisiana are interested in this controversy, on account of the large, immediate and direct interest (three and a quarter millions of stock) they have in the enterprise, and its prospective commercial importance to this city as a market for Texas produce and Texas buyers. But it is of less consequence to them that the present shareholders should remain in possession of the road than that the line should be extended to the Sabine river. If that consummation should be reached by means of the litigation now in progress in the United States Court, we could almost afford to lose the stock in the road now owned by the State and city, but we do not see by necessity why this large interest should be sacrificed. To pretend that the Opelousas Railroad Company, in possession of a road well worth ($3,250,000) three millions, eight hundred thousand dollars, according to the estimate lately made by G. W. Bayley, Esq., its Engineer and Superintendent, and earning a net gain per year of one hundred and sixty thousand dollars ($160,000) under all disadvantages, with a total liability of only two millions, six hundred thousand dollars, ($2,600,000) four-fifths of which is not due until the year 1889, can be a bankrupt corporation, is one of those financial absurdities which are the outgrowth only of such unsafe and revolutionary times as those we now live in. The road can be sold readily for three millions of dollars. Its assets largely exceed its liabilities. We are informed that negotiations are in progress between the Board of Director and Northern capitalists, looking to the relief of the Company from its financial difficulties and the extension of the road to Texas, which negotiations are of such a character as to justify the best hopes of a favorable conclusion. Why then drive a corporation in such circumstances into the Bankruptcy Court? And who will benefit by such proceedings? It is well known that the officers in the Bankruptcy Court take every thing—their assets they literally embowel an estate which falls into their merciful hands, and turn over to the creditors only a long account with the balance on the wrong side. If this be not true, they are very much belied.

We know nothing of Mr. Tucker or his principals in the suit now before Judge Durell, but it is very clear that if he wanted only the amount of his trifling demand, ($300) and could not obtain it from the Company, his speediest plan to realize it would be by seizure and sale of the road, according to the executory process known to the laws of Louisiana, which provides for mortgage creditors a rapid enforcement of their claims when their note of mortgage is part a confession of judgment, which is generally the case with these railroad mortgages. How such a proceeding has been instituted in the Sixth District Court for this parish, and no lawyer will deny that the process of seizure and sale in the State or United States Court, is not the easiest and cheapest method of collecting a claim on the road secured in the way these bonds are secured.

It has been suggested that there are parties interested in throwing this Corporation into the Bankruptcy Court, but we hope such insinuations are without foundation in truth. Certainly no true friend of this city and State can wish that such an object should be accomplished. We shall keep an eye on these Western Railroad Corporations and their agents here, who are suspicious of working in the interest of a connection with Texas, through the State of Arkansas, a connection which will cut New Orleans off, and shall not overlook pernicious interest lines, who care more for their personal aggrandisement than for the public accommodation. We await Judge Durell's decision with confidence, that he will reject the application of Mr. Tucker.

MILLER'S RESTAURANT.—Mr. Nicholas Miller, one of the best caterers to the consumptive demands of epicurean taste in the city, and, by the way, a very clever, charitable and enterprising citizen, has, we notice, made new and very desirable additions and improvements in his large and elegant oyster saloon and restaurant, Nos. 70 and 72 St. Charles street. Among these are several rooms very handsomely and comfortably furnished, in the story above the restaurant, suitable for the accommodation of parties, either of ladies or gentlemen, or gentlemen and ladies, where they can be furnished with anything to order that the establishment affords, which we know is always supplied with the best in the market. It is no exaggeration to say that the most fastidious taste can be gratified at this saloon, and at reasonable prices, and that the strictest attention is paid to the orders of patrons. The saloon, by the way, is kept open at all hours, night and day. Mr. Miller also keeps a soda, ale and coffee saloon at No. 73 St. Charles street. See the advertisement in another column.

THE THREE MILLION BOND ORDINANCE.—Our readers will learn, by the proceedings of the City Council at its meeting last night, that a communication was presented to it by the Property-Holders' Association, protesting against the "Three Million Bond Ordinance," on grounds substantially set forth in the *Bee*, and that Mr. Shields, the author of the ordinance, and a member of the Upper Board, offered a resolution providing for the postponement of the election on Saturday next, which had been ordered for the purpose of obtaining the judgment of the voters of the city upon the measure. The Upper Board, it seems, passed the resolution, which was rent to the Lower Board, who refused their concurrence. We regret this refusal of the Lower Board, and hope the voters of New Orleans will speak on Saturday in a tone not to be misunderstood.

Mr. Philip Werlein, music dealer, 80 Baronne street, has sent us a copy of Boosey & Co.'s English edition of Mozart's famous Requiem Mass in vocal score, with accompaniment for the organ, harmonium, or piano-forte, edited, and with English words adapted by W. H. Birch.

The National Telegraph Company.

We have been favored with the perusal of a communication addressed, by the Board of Directors of the National Telegraph Company, to Daniel Edwards, their very able and resident Director in this city, announcing that the subscription list to the capital stock of the company will be closed here on the 1st of January next, the greater part of the stock being already taken in the leading cities of the North and West.

The success of this great international enterprise is now placed beyond doubt or cavil, and the merchants of New Orleans—who have so much to do with the cities of Europe—cannot do better than to take up the balance of the stock still open in New Orleans, as it will secure to them invaluable advantages in the transmission of their dispatches to Europe, owing to the contract made by the National Telegraph Company with the French Trans-Atlantic Cable Company, whose cable will be laid in July next.

In connection with the above, we are authorized to state that in a few days Col. Daniel Edwards will advertise for proposals for the erection of telegraphic posts on every line leading to and from New Orleans within the limits of the district assigned to his management.

It gives us much pleasure to add our testimony to that of our contemporaries of the Northern press as to the energy and fidelity with which Col. Edwards has attended to the highly important trust confided to him by the National Telegraph Company.

THE FRENCH OPERA.—Miss Bourgeois being indisposed last night, it devolved upon Madame Cambier to assume in her place the character of *Lonore*, in the opera of "La Favorite," and this, Madame Cambier did at short notice. It detracts nothing from Miss Bourgeois to say that *Lonore* was personated in her absence in a manner which left nothing to be desired. Mrs. Cambier was in excellent voice, and performed the part with great success.

On Thursday night "Trovatore" is announced. Mrs. Cambier, Miss Bourgeois, Messrs. Pinot, Perout and Van Hulfen in the chief characters.

Three leaders of the Spanish revolutionary party, called on the ex-King Ferdinand. The prince said to them, "You wish to make a king of me? Know, then, that if I have already escaped a crown for a Panama hat, it is because the former head dress was a bore." Then, pointing out of the window to some magnificent vine-yards: "See, I have turned vine-grower. I make capital wine, which is far better than politics, which often turns sour."

It is calculated that if a cheaper being could make as much noise in proportion to his size as a locust, he could be heard from New York to St. Louis. It is a merciful provision of nature that he cannot.

The London streets, placed in a single straight line, would reach from Liverpool to New York. It takes 300,000 street lamps to illuminate London.

CITY INTELLIGENCE.

National Theatre.—Mr. Rupert Rethwisch, one of the best comedians of the German stage, will appear this evening at the National Theatre in two of his best parts. Mr. Rethwisch has been very successful in New York, Chicago, St. Louis, Davenport and other cities, and will stay here some time.

The Races.—There was another fine attendance and a beautiful day at the Metairie course yesterday. We give the summary as follows:

Second day (Tuesday) December 1st, 1868—First race; purse $300; mile heats for all ages.

1—Jim Crickard entered h. h. "Joe Johnson," 6 years old, 1.1.
2—Frank Green entered Wm. Brady's b. h. Jack Gamble, Jr., 3 years old, 2 2.
3—John Hawkins entered J. B. Lyons, b. h. "Larkin," 3 years old, 3 3.
Time 1.58½—1.54½.

Second Race.—Purse $600.—Two mile heats.
1.—H. B. Foley entered T. G. Moore's, b. f. "Fanny Cheatham," 4 years old—1:51.
2.—Jos. Crickard entered R. W. Warwick's ch. h. "Tressell," 4 years old—2:13.
3.—A. K. Richards entered b. f. "Carrie Atherton," 3 years old—4:3:2.
4.—H. W. H. Montgomery entered Col. Nelligan's, b. h. "Bismarck, 6 years old.—5 dis.
5.—John Hawkins entered J. B. Lyons, ch. h. "Little Mack," 5 years old.—3 dis.
Time 1.54—2.05—4.02.

The New Democratic Parish Committee.—The election for ward delegates to form a new Democratic Parish Executive Committee, resulted in the choice of the following gentlemen:

First Ward—O. Dupaire, Jos Ellison.
Second Ward—A. Mitchell, P. Lamyet.
Third Ward—M. B. Brady, J. G. Campbell.
Fourth Ward—M. F. Bibliky, Sydney P. Harper.
Fifth Ward—Pascalis Lebarre, H. Peralta.
Sixth Ward—Benjamin Leggett, S. W. Scott.
Seventh Ward—J. A. Lotten and Christopher Woelrich.
Eighth Ward—No election.
Ninth Ward—A. Wills, J. Weber.
Tenth Ward—J. Wilmer, Douglas West.
Eleventh Ward—Louis Bush and J. W. Patton.
Algiers—No report.
We have no report from the others.

Supreme Court.—In the case of John Bird vs. the heirs of Henri Peralta, decreasing the judgment of the Sixth District Court, Section of Judge Dapizmer, has been affirmed. The decision of the Supreme Court is rendered by Associate Justice Taliaferro, and relates to a promissory note and the question of endorsement, notice, protest, &c.

The same Court also read an opinion of the Court, affirming the decision of the Sixth District Court in the case of Mrs. Arsaide E. Fritz (widow Vogel) vs. A. Richard and others, involving points touching Confederate money, the use of which is of course not sanctioned by the court as being a transonable currency.

The Lawsuit Land of Cotton.—The steamer Magnolia, Capt. Hicks, arrived yesterday from Memphis with 4698 bales of cotton, the largest lot of the Scovy staple brought to this port this season.

St. Andrew's Society.—Monday the 30th of November being the Feast Day of the Apostle the tutelary saint of Scotland, was celebrated by the St. Andrew's Society, in this city, with a supper and appropriate festivities. There were songs, toasts and speeches as usual on such occasions, the following being the regular toasts of the evening: "The Day we Celebrate," "The President of the United States;" "The Queen of Great Britain; "The City and Trade of New Orleans;" "Auld Scotland;" "The New Year;" "Our Guests;" "The Press of New Orleans," and lastly, but not least, "The Ladies."

Mr. Peter Ross was the former President, his successor being Robert MacKenzie.

Correction.—In our report of the proceedings in a case before the U. S. District court yesterday we were in error, in speaking of Gen. W. G. Mackie as a Rebel officer, at the time alleged to. He was instead a Secretary of Rebel War Office in this city, under Post Master Taliaferro.

United States District Court—Judge Durell.—This court was again engaged yesterday in hearing arguments on the case of Tucker and others vs. the N. O & Opelousas Railroad. Col Miles Taylor argued the case at great length for the defendants. Billings will probably argue for the petitioners to-day.

Board of Aldermen.—Meeting last evening. President Markey in the chair.

Mr Kaiser introduced the old Market Ordinance in place of the one previously adopted. It was adopted unanimously.

Mr. Prados, however, moved a reconsideration and offered an amendment to the second section requiring purchasers to pay one-twelfth in cash in U. S. currency and the notes in same as they fall due. The ordinance was adopted without the amendment.

Mr. Kaiser opposed this on the ground that it would be equivalent to repudiation.

Mr. Shields made retraction of some remarks at previous meetings on the conduct of the Finance Committee, which reminded Mr. Poyntz not kindly assured him had been forgotten.

A resolution by Mr. Prados was adopted, instructing Mr. Wright, Superintendent of the Fire Alarm Telegraph, to extend the lines to the depot of the Orleans Railroad on Lafayette street, between Nyades and Josephine streets.

A resolution to waive presentation of a claim by J. H. Weymouth against the city for $500, was referred.

The Finance Committee reported that retrenchment in city expenses was necessary, and submitted a resolution that no contract shall be approved by the Council for repairing streets or for any other public improvements, and that the Surveyor and Street Commissioner be instructed to reduce their forces to the lowest possible standard. The report was tabled.

Mr. Shields, from the Special Water Works Committee, reported an ordinance for the protection of the works, and checking abuses and waste of the water used by the city. The ordinance was adopted and sent to the other Board. It contains merely police regulations, with fines and penalties, for interfering with the works or pollution of the water.

A motion was made to print one hundred copies of the Wharf Ordinance, and that it be made the special order of the day on Monday evening, at 6 o'clock. Adopted.

A resolution was adopted to repair Fire Engine House No. 26, providing the same did not exceed $300.

A resolution was adopted that no more contracts be sold for repairing or paving any streets of the city until after the 1st day of January next, owing to the critical condition of the financial affairs of the city.

A resolution was offered instructing the Finance Committee to employ counsel to prosecute all claims in behalf of the city which are now under the control of the City Attorney; such contract to be approved by the Council. Adopted on its second reading.

Mr. Pemberton offered a resolution authorizing the Committee on Water Works to receive proposals for leasing the Water Works of the city for a number of years, and that the bids thereof be submitted to the Council. Adopted on its second reading by a unanimous vote.

A communication was received from Mr. Saul Flowers, Secretary of the Board of Directors of the Property Owners' Association, objecting to the issuance of the $3,000,000 bonds, declaring that their issuance will not accomplish the object had in view. That the Legislature would soon be called upon again, and it is believed that action will be had by that body which will be more favorable to meet the present financial emergency.

A resolution was received from the Upper Board authorizing the Mayor to discontinue his notice for an election upon the $3,000,000 bonds until further action was taken upon the subject by the Common Council. Not concurred in.

A petition was received from a number of billiard room keepers, praying to be delivered from the heavy tax which they are now subjected to. They stated, that the tax upon their tables had been increased threefold during the past three years. That in 1861 the license on twelve tables was $410; this year the tax amounts to $1320. Referred to the Finance Committee.

A resolution from the Upper Board to pay $1,500,000, in bonds, to the Commercial Bank, in settlement for the City Water Works. Referred to the Water Works Committee.

A petition from the Chalmette Street Railroad Company to build a track railroad from the Canal street, from Basin to the head of Canal street, was referred to the joint Committee on Railroads.

The old market ordinance, adopted with one or two amendments by the Upper Board, was concurred in, and the same was laid on the table.

On motion the Board adjourned.

Sons of the Gamier's Estate.—In the Supreme Court the case of Duncan N. Hunton, vs. the New Orleans and Carrollton Railroad Company was argued yesterday by Mr. Pitch, District Court. It was instituted to recover back the price of several lots of ground purchased by plaintiff from defendant in 1844. By a decree of the Supreme Court of the United States, the property has been adjudged to belong to Mrs. Myra Clark Gaines, and the plaintiff was ordered to restore them to her, with the fruits and revenues since 1844. In a supplemental petition, plaintiff also demanded the reimbursement of such sums as he might be adjudged to pay Mrs. Gaines for the rental value of the lots he has since the same were in his possession. An exception was taken by the court below to this supplemental petition, and a trial had for a special account. The plaintiff not complying with these orders, the case was dismissed. From this judgment the appeal is taken, because plaintiff had no notice of the time fixed for hearing the rule. On this ground, the judgment of the court below is reversed, and proceedings ordered to be had in the court below not inconsistent with this opinion.

Horse Stealing.—Francis Moss has been arrested, charged by Mr. Dominique Madden with stealing a roan horse, the property of the prosecutor. It is alleged that the animal was standing hitched to a post, and the accused deliberately mounted him and rode off.

Burglary.—About five o'clock, this morning, the residence of Mr. Alfred Kearney, No. 125 Prytania street, was burglariously entered by unknown thieves. They made about one hundred dollars worth of plated ware.

Suicide of a Young Girl.—Monday evening, Maude Grey, a handsome but wayward young girl of 17 years of age, drowned herself by jumping into the river below the Bayou. She was said to have been quite respectably connected and to have been driven from home for her first shameful conduct in life. About a year ago, as report goes, she became fascinated with a street hero-back rider, and letting her fancy manifest itself, was caught out by the rider and finally eloped with him. Shortly after she returned to the city alone and voluntarily became an inmate of a house of iniquity, adopting the name of Maude Gray as a disguise for the true one. Her body was found by a ship captain.

Found Drowned.—An inquest was held yesterday by Deputy Coroner Espinola on the body of Fred. Naupardi, a native of Germany, aged 28 years. His body was found at the Lake, and the verdict was accidental drowning. He had gone down on the Pontchartrain Railroad and was fishing Sunday afternoon, and slipt into the water from the wharf. His friends were not attracted to his movements until he was making his last gasp. He was knocked senseless as he fell, it was supposed.

Sudden Death.—Jacob E. Smith died suddenly on board of the Camelia, on Monday. He had gone on the boat drunk, and instead of going to bed in the cabin, he lay down upon the floor. He asked to be taken into the sun, and died shortly after. He had been drinking during the whole day previous.

Larceny.—William Boston, colored, was arrested Monday, charged with the larceny of silver ware, in the residence of the widow of Gen. Rousseau, corner of Marais and Canal streets, quite a number of small articles of plate, consisting of napkin rings, salt spoons, fish knives, teaspoons.

Seriously Injured by a Fall.—About 2 o'clock yesterday evening, a colored man named Joseph Butler, fell from the 2d story gallery of a house on Dauphin street, which he was painting. He was very seriously injured, and was taken to his home in the Third District.

Boy Driven Over.—About 6 o'clock last evening, a unknown, number of cab unknown, drove over a boy 10 years old, named Michael Carpenter. The boy was taken to his residence, 175 St. Ferdinand street, near where it happened. The driver was not arrested, and we are not advised as to the extent of the boy's injuries.

The Recent Counterfeiting.—In the counterfeiting case, Gregoire and Mary Valeour, who had their bonds fixed at $4000 each. The bond of Gregoire's wife will be $1500. The husband of Valeour has not been arrested, although he is thought to have been one of the principals.

Mr. M. K. Peck claims to have been, says the Time, the first to have made any discoveries in the matter. He says that he first applied to Gen. Beauregard, and subsequently to the President of another Railroad Company, to whom he was advised to call in the assistance of the detectives. He did so, he states with the result already known.

First District Court—Judge Abell—A *nol. pros* was yesterday entered in the case of L. Donegan, charged with false arrest and imprisonment, the 23d of June last, of Charles A. Rogers.

Elizabeth Smith, col., was acquitted of the charge of stealing a pocket book and $3 from the person of Johnson.

Moses Johnson, col., alias Thomas Watson, alias Manuel Johnson, whose aliases indicate, that he is said to be a man of character, appeared before the courts, was convicted of having pizzes taken $25, belonging to Benj. Ricord. So Moses, who seemed to have been driven from home for his