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J. O. NIXON, Editor and Proprietor.

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THE DAILY CRESCENT

Is published EVERY MORNING—Mondays excepted. Yearly Subscription, in advance, $16; Half yearly, $8; Quarterly, $4; Single copies, 10 cents.

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Ten......	30 "	55 "	75 "	130 "	200 "
Fifteen......	40 "	75 "	100 "	180 "	280 "
Thirty......	70 "	130 "	180 "	300 "	450 "

SATURDAY MORNING, MARCH 28, 1868.

IMPEACHMENT.

THE PRESIDENT'S ANSWER

To the Senate of the United States—

Answer of the president, in the Senate of the United States, sitting as a court of impeachment for the trial of Andrew Johnson, president of the United States.

The answer of the said Andrew Johnson, president of the United States, to the articles of impeachment exhibited against him by the House of Representatives of the United States.

Answer to Article 1.—For answer to the first article he says that Edwin M. Stanton was appointed secretary for the department of war on the 15th day of January, A. D. 1862, by Abraham Lincoln, then president of the United States, during the first term of his presidency, and was commissioned according to the Constitution and the laws of the United States, to hold the said office during the pleasure of the president; that the office for secretary for the department of war, created by an act of the first Congress in its first session, and passed on the 7th of August, A. D. 1789, and in and by that act, it was provided and enacted that the said secretary for the department of war shall perform and execute such duties as shall, from time to time, be enjoined on and intrusted to him by the president of the United States, agreeably to the Constitution, relative to the subjects within the scope of said department. And, furthermore, that the said secretary shall conduct the business of said department in such manner as the president of the United States shall, from time to time, order and instruct.

And this respondent further answering, says that, by force of the act aforesaid, and by reason of his appointment aforesaid, the said Stanton became the principal officer in one of the executive departments of the government, it being the true intent of the second section of the second article of the Constitution of the United States, according to the true intent and meaning of that provision of the Constitution of the United States, in accordance with the settled and uniform practice of each and every president of the United States. The said Stanton then became, and so long as he should continue to hold the office of the secretary of the department of war, must continue to be one of the advisers of the president of the United States, as well as the person intrusted to act and represent the president in matters enjoined upon him, or intrusted to him by the president, touching the department aforementioned, and for whose conduct in such capacity, subordinate to the president, the president is, according to the Constitution and laws of the United States, made responsible.

And this respondent further answering, says that he succeeded to the office of president of the United States by reason of the death of Abraham Lincoln, then president of the United States, on the 15th day of April, 1865, and that the said Edwin M. Stanton was then holding said office of secretary for the department of war, under and by reason of the appointment and commission aforesaid, and not having been removed from said office by this respondent, the said Edwin M. Stanton continued to hold the same under the appointment and commission aforesaid, at the pleasure of the president, until the time hereinafter particularly mentioned, and at no time received an appointment or commission as above detailed.

And this respondent, further answering, says that on and prior to the 5th day of August, A. D. 1867, this respondent, the president of the United States, responsible for the conduct of the secretary for the department of war, and having the constitutional right to resort to, and rely upon, the person holding that office, for advice concerning the great public duties enjoined on the president by the Constitution and laws of the United States, became satisfied he could not allow said Stanton to hold the office of secretary for the [department of war, nor could the presi]dent to resort to him for advice, or be, in the judgment of the president, safely responsible for the conduct of the department of war, as by law required. In accordance with orders and instructions of the president, thereupon, by force of the Constitution and laws of the United States which devolve on the president the power and duty to control the conduct of the executive department of the government, and by reason of the constitutional duty of the president to take care that the laws be faithfully executed, this respondent did necessarily consider and determine that the said Stanton ought to no longer hold the said office of secretary for the department of war. This respondent, by virtue of the power and authority vested in him as president of the United States, by the Constitution and laws of the United States, to give effect to such his decision and determination, did, on the 5th day of August, A. D. 1867, address to the said Stanton a note, of which the following is a true copy:

"*Sir*—Public considerations of a high character constrain me to say that your resignation as secretary of war will be accepted."

To which note the said Stanton made the following reply:

WAR DEPARTMENT,
Washington, August 5, 1867.

Sir—Your note of this date has been received, stating that public considerations of a high character constrain you to say that my resignation as secretary of war will be accepted. In reply, I have the honor to say that public considerations of a high character, which alone have induced me to continue at the head of the war department, constrain me not to resign the office of secretary of war before the next meeting of Congress.

Very respectfully yours,
EDWIN M. STANTON.

This respondent, as president of the United States, was of opinion that, having regard to the necessary official relations and duties of the secretary for the department of war to the president of the United States, according to the Constitution and laws of the United States, and having regard to the responsibility of the president for the conduct of the said secretary, and having regard to the paramount executive authority of the office which the respondent holds under the Constitution and laws of the United States, it was impossible, consistently with the public interest, to allow the said Stanton to continue to hold the office of secretary for the department of war, and it then became the official duty of the respondent, as president of the United States, to consider and decide what act or acts should and might lawfully be done by him, as president of the United States, to cause the said Stanton to surrender the said office. This respondent was informed, and verily believes that it was practically settled by the First Congress of the United States, and had been so considered, and uniformly, and in a great number of instances, acted on by Congress and the presidents of the United States in succession, from President Washington to, and including, President Lincoln, and from the First Congress to the Thirty-ninth Congress, that the Constitution of the United States conferred on the president, as part of the executive power and as one of the necessary means and instruments of performing the executive duties expressly imposed on him by the Constitution, of taking care that the laws be faithfully executed, the power, at any and all times, of removing from office all executive officers, for cause, to be judged of by the president alone. This respondent having this assurance of the Constitution, required the opinion of each principal officer of the executive department upon the question of executive power and duty, and had been advised by each of them, including said Stanton, secretary for the department of war, that under the Constitution of the United States this power was lodged, by the Constitution, in the president of the United States, and consequently could only be lawfully exercised by him, and Congress could not deprive him thereof.

And this respondent, in his capacity of president of the United States, and because in that capacity he was both enabled and bound to use his best judgment upon this question, did, in good faith and with an honest desire to arrive at the truth, come to the conclusion, and did make the same known to the honorable Senate of the United States, by a message dated on the 3d day of March, 1867, a true copy whereof is hereunto annexed and marked "A," that the power last mentioned was conferred and the duty of exercising it in certain cases was imposed on the president by the Constitution of the United States, and that the president could not be deprived of this power, nor relieved of this duty, nor could the same be vested by law in the president and the Senate jointly, either in part or in whole; and this has ever since remained, and was the opinion of this respondent at the time when he was forced as aforesaid, to consider and decide what acts should and might be lawfully done by this respondent, as president of the United States, to cause the said Stanton to surrender said office.

The respondent was also then aware that in the first section of an act regulating the tenure of civil office, passed March 2, 1867, by a constitutional majority of both Houses of Congress, it was enacted as follows: "That every person holding any civil office, to which he has been appointed by and with the advice and consent of the Senate, and every person who shall hereafter be appointed to such office, and shall become duly qualified to act therein, is and shall be entitled to hold such office until a successor shall have been in like manner appointed and duly qualified, except it is herein otherwise provided; provided that the secretaries of state, of the treasury, of war, of the navy and of the interior, the postmaster general and the attorney general shall hold office for and during the term of the president by whom they may have been appointed, and for one month thereafter, subject to removal by the advice and consent of the Senate."

This respondent understood was intended to be an expression of the opinion of Congress, by which that act was passed, that the power to remove the executive officers for cause might, by law, be taken from the president and vested in him and the Senate jointly; and although this respondent had arrived at, and still retained the opinion above expressed, and verily believed, as he still believes, that the first section of the last mentioned act was, and is inoperative and void, by reason of its conflict with the Constitution of the United States, yet, inasmuch as the same had been enacted by the constitutional majority in each of the two Houses of that Congress, this respondent considered it to be proper to examine and decide whether the particular case of the said Stanton, on which it was this respondent's duty to act, was within or without the terms of that first section of the act; or, if within it, whether the president had not the power, according to its terms, to remove the said Stanton from the office of secretary for the department of war; and having, in his capacity of president of the United States, examined and considered, did form the opinion that the case of the said Stanton and his tenure of office were not affected by the first section of the last named act.

And this respondent, further answering, says, although a case thus existing, which, in his judgment as president of the United States, called for the exercise of the executive power to remove Stanton from the office of secretary for the department of war; and, although this respondent was of the opinion as above shown, that under the Constitution of the United States the power to remove said Stanton from said office was vested in the president of the United States; and although this respondent was also of the opinion, as above shown, that the case of said Stanton was not affected by the first section of the last named act; and although each of said opinions had been formed by this respondent upon an actual case, requiring him, in his capacity of president of the United States, to come to some judgment and determination thereon, yet this respondent, as president of the United States, desired and determined to avoid if possible any question of the reconstruction and effect of said first section of the last named act, and also that the broader question of the executive power conferred on the president of the United States by the Constitution of the United States to remove one of the principal officers of the executive departments for cause seeming to him sufficient; and this respondent also determined that if from a cause over which he could exert no control, it should become absolutely necessary to raise and have settled, in some way, either or both of the last named questions, it was in accordance with the Constitution of the United States, and the duty required of the president thereby, that questions of so much gravity and importance, in which the legislative and executive departments of the government had disagreed, which involved powers considered by all branches of the government during its entire history down to the year 1867, to have been confided by the Constitution of the United States to the president, and to be necessary for the complete and proper execution of his duties, should be in some proper way submitted to that department of the government intrusted by the Constitution with the power, and subjected by it to the duty not only of determining, finally, the construction and effect of all acts of Congress, but by comparing them with the Constitution of the United States, and pronouncing them inoperative when found in conflict with that fundamental law, which the people have enacted for the government of all their servants; and to these ends:

1. That through the action of the Senate of the United States, the absolute duty of the president to substitute some fit person in place of said Stanton, as one of his advisers, and as a principal subordinate officer, whose official conduct he was responsible for, and had the lawful right to control, might be accomplished without the necessity [that these questions, or such of them as might] necessarily arise, should be judicially determined in the manner aforesaid. And for no other end or purpose this respondent, as president of the United States, on the 12th day of August, 1867, seven days after the reception of the letter of said Stanton, hereinbefore stated, did issue to said Stanton the order following, viz:

EXECUTIVE MANSION,
Washington, August 12, 1867.

Sir—By virtue of the power and authority vested in me as president, by the Constitution and laws of the United States, you are hereby suspended from office as secretary of war, and will cease exercising all functions pertaining to the same. You will at once transfer to General U. S. Grant, who has this day been authorized and employed to act as secretary of war *ad interim*, all records, books, papers and other public property now in your charge.

To the Hon. E. M. Stanton, secretary of war.

To which the said Stanton made the following reply:

WAR DEPARTMENT,
Washington, August 12, 1867.

Sir—Your note of this date has been received, informing me that, by virtue of powers vested in you, as president, by the Constitution and laws of the United States, I am suspended from the office of secretary of war, and will cease to exercise any and all functions pertaining to the same, and also directing me at once to transfer to General U. S. Grant, who has this day been authorized and empowered to act as secretary of war *ad interim*, all records, books, papers, and other public property now in my custody and charge. Under a sense of public duty I am compelled to deny your right, under the Constitution and laws of the United States, without the advice and consent of the Senate, and without legal cause, to suspend me from office, as secretary of war, or the exercise of any or all the functions pertaining to the same, or without such advice and consent, to compel me to transfer to any person the records, books, papers and public property in my custody as secretary. But inasmuch as the general commanding the armies of the United States has been appointed *ad interim*, and has notified me that he has accepted the appointment, I have no alternative but to submit, under protest, to superior force.

To the president.

And this respondent, further answering, says it is provided in and by the first section of an act to regulate the tenure of certain civil offices that the president may suspend an officer from the performance of the duties of the office held by him, for certain causes designated, until the next meeting of the Senate and until the cause shall be acted on by the Senate.

That this respondent, as president of the United States, was advised, he verily believed, and still believes, that the executive power of removal from office confided to him by the Constitution aforesaid, includes the power of suspension from office at the pleasure of the president. This respondent, by the order aforesaid, did suspend said Stanton from office, though not until the next meeting of the Senate, or until the Senate should have acted upon the case, but by force of the power and authority vested in him by the Constitution and laws of the United States, indefinitely and at the pleasure of the president, and the order aforesaid was made known to the Senate of the United States on the 12th day of December, A. D. 1867, as will be more fully hereinafter stated.

And this respondent further says, that by the act of February 13, 1795, it was among other things, enacted and provided in case of the vacancy of the office of secretary of the department of war, it shall be lawful for the president, in case he shall think it necessary, to authorize any person to perform the duties of that office until a successor be appointed, but not exceeding the term of six months; and this respondent being advised, and believing that such law was in full force, and not repealed by the order dated August 12, 1867, did authorize and empower U. S. Grant, general of the armies of the United States, to act as such secretary for the department of war *ad interim*, in the form in which similar authority had hitherto been given, not until the next meeting of the Senate should act on the case, but at the pleasure of the president, subject only to a limitation of six months in the last mentioned act, and a copy of the last named order was made known to the Senate of the United States on the 12th day of December, A. D. 1867, as will be hereinafter more fully stated, and in pursuance of the designated intention aforesaid, if it should become necessary to submit the question to judicial determination, this respondent, at or near the date of the last mentioned order, did make known such his purpose to obtain a judicial decision of said questions, or such of them as might be necessary.

And this respondent, further answering, says that in further pursuance of his intention and design, if possible, to perform what he believed to be his duty, to prevent said E. M. Stanton from longer holding the office of secretary for the department of war, and at the same time avoiding, if possible, any question respecting the extent of the power or removal from the executive office confided to the president by the Constitution of the United States, and any question respecting the construction and effect of the first section of the said act regulating the tenure of certain civil officers, while he should, by any act of his own, abandon and relinquish either a power he believed the Constitution had conferred on the president of the United States to enable him to perform his duty; a power designedly left to him by the first section of the act of Congress last aforesaid. This respondent did, no the 12th day of December, 1867, transmit to the Senate of the United States a message, a copy of which is hereunto annexed, and marked "B," wherein he made known the orders aforesaid, and the reasons which had induced the same, so far as the respondent then considered it material and necessary that the same should be set forth, and reiterated his views concerning the constitutional power of removal vested in the president, and also expressed his views concerning the construction of the said first section of the last mentioned act as respected the power of the president to remove the said Stanton from said office of secretary for the department of war, well hoping that the respondent could thus perform what he then believed, and still believes, to be his imperative duty in reference to said Stanton, without derogating from the powers which this respondent believes were confided to the president by the Constitution and laws, and without the necessity of raising judicially any question respecting the same.

And this respondent, further answering, says this hope not having been realized, the president was compelled either to allow the said Stanton to resume said office and remain therein, contrary to the settled convictions of the president, formed as aforesaid, respecting the powers confided to him and the duties required of him by the Constitution of the United States, and contrary to the opinion formed as aforesaid, that the first section of the last mentioned act did not affect the case of the said Stanton, and contrary to the fixed belief of the president that he could no longer advise, trust, or be responsible for the said Stanton, or the said office of secretary of war, or else he was compelled to take such steps as might, in the judgment of the president, be lawful and necessary to raise, for a judicial decision, the questions affecting the lawful right of the said Stanton to resume the said office, or the power of the said Stanton to persist in refusing to quit said office; the respondent did, on the 2d day of February, 1868, issue the order for the removal of said Stanton in the said first article mentioned and set forth, and the order authorizing the said Lorenzo Thomas to act as secretary of war *ad interim* in said second article set forth.

This respondent, proceeding to answer specially each substantive allegation in said first article, denies that the said Stanton was, on the 21st day of February, 1868, lawfully in possession of the said office of secretary for the department of war.

He denies that said Stanton, on the day last mentioned, was lawfully entitled to hold said office against the will of the president of the United States.

He denies that said order for the removal of said Stanton was unlawfully issued.

He denies that the said order was issued with intent to violate the act entitled "an act to regulate the tenure of certain civil offices."

He denies that said order was in violation of the last mentioned act.

He denies that said order was a violation of the Constitution of the United States or any law thereof, or of his oath of office.

He denies that the said order was issued with the intent to violate the Constitution of the United States, or any law thereof, or this respondent's oath of office, and he respectfully, but earnestly, insists that not only was it issued by him in the performance of what he believed to be an imperative official duty, but in the performance of what this honorable court will consider was, in point of fact, an imperative official duty.

And he denies that any and all substantive matters in said first article contained, in manner and form as the same are therein stated and set forth, do by law constitute a high misdemeanor in office, within the true meaning of the Constitution of the United States.

Answer to article second: And for an answer to the second article, this respondent says he admits that he did issue and deliver to said Lorenzo Thomas said writing set forth in said second article, bearing date at Washington, February 21, 1868, addressed to "Brevet Major General Lorenzo Thomas, adjutant general of the United States army, Washington, D. C."

He further admits that the order was issued [but denies] that he thereby violated the Constitution of the United States, or any law thereof, or that he did thereby intend to violate the Constitution of the United States, or the provisions of any act of Congress.

And this respondent refers to his answer to the first article for a full statement of the purposes and intentions with which said order was issued, and adopts the same as part of his answer to this article.

And he further denies there was then no vacancy in said office of secretary for the department of war, or that he did then and there commit, or was guilty of, high misdemeanor in office, and this respondent maintains and will insist—

1. That on the date and delivery of said writing there was a vacancy existing in the office of secretary for the department of war.

2. That, notwithstanding the Senate of the United States was then in session, it was lawful, and according to long and well established usage, to empower and authorize said Thomas to act as secretary of war *ad interim*.

3. That if the said act regulating the tenure of civil offices be held to be a valid law, no provision of the same was violated by the issuing of said order and by the designation of said Thomas to act as secretary of war *ad interim*.

Answer to article 3—And for answer to said third article, this respondent says he abides by his answer to the first and second articles, in so far as the same are responsive to the allegations contained in the third article, and, without here again repeating the same answer, prays that the same be taken as answer to the third article, as fully as if here again set out at length.

And as to the new allegation contained in said third article, that this respondent did appoint the said Thomas to be secretary for the department of war *ad interim*, this respondent denies he gave any other authority to said Thomas than such as appears in said written authority set out in said article, by which he authorized and empowered said Thomas to act as secretary for the department of war *ad interim*; and he denies that the same amounts to an appointment, and insists that it is only a designation of an officer of the department to act as secretary for the department of war *ad interim* until an appointment should be made.

But whether said written authority amounts to any appointment or designation, this respondent denies that in any sense he did thereby intend to violate the Constitution of the United States, or that he thereby intended to give said order the character or effect of an appointment in a constitutional or legal sense of the term.

He also denies that there was no vacancy in said office of secretary for the department of war existing at the date of said written authority.

* * * * *

The only agency resorted to, or intended to be resorted to was by means of the said executive orders, requiring obedience, but the secretary for the department of war refused to obey these orders, and still holds undisturbed possession and custody of that department, and of the records, books, papers, and other public property therein.

The respondent further states that in the execution of the orders so by this respondent given to the said Thomas, he, the said Thomas, proceeded in a peaceable manner to demand of the said Stanton a surrender to him of the public property in the said department, and to vacate the possession of the same, and to allow him, the said Thomas, peaceably to exercise the duty devolved upon him by authority of the president.

That this respondent has been informed, and believes the said Stanton peremptorily refused; that no force, or threat, or offer was used by the said Thomas by authority of the president, or otherwise, to enforce obedience, either then or at any subsequent time.

This respondent doth here except to the sufficiency of the allegation contained in said fourth article, and states, for ground of exception, that it is not stated that there was any agreement between this respondent and the said Thomas, or any other person or persons, to use intimidation or threats; nor is there any allegation as to the nature of said intimidation and threats, or that there was any agreement to carry them into execution, or that any step was taken or agreed to be taken to carry them into execution; and the allegation in said article that the intent of said conspiracy was to use intimidation and threats is wholly insufficient, inasmuch as it is not alleged that said intent formed the basis, or became the part of any agreement between said alleged conspirators; and, furthermore, that there is no allegation of any conspiracy or agreement to use intimidation or threats.

Answer to Article 5.—And for answer to the said fifth article this respondent denies that on the 21st day of February, 1868, or any other time or times in the same year, before the said 2d day of March, 1868, or at any prior or subsequent time, at Washington aforesaid, or at any other place, this respondent did unlawfully conspire with said Thomas, or with any other person or persons, to prevent or hinder the execution of said act, entitled "an act regulating the tenure of certain civil offices;" or that, in pursuance of said alleged conspiracy, he did unlawfully attempt to prevent the said Edwin M. Stanton from holding said office of secretary for the department of war, or that he did thereby commit, or that he was thereby guilty of, a high misdemeanor in office.

Respondent, protesting that said Stanton was not then and there secretary of war, begs leave to refer to his answer given to the fourth article, and to his answer given to the first article, as to his purpose in issuing the order for the removal of Mr. Stanton, and the authority given to said Thomas, and prays equal benefit therefrom, as if the same were here again repeated and fully set forth.

And this respondent excepts to the sufficiency of the said fifth article, and states as ground for such exception, that it is not alleged by what means, or by what agreement, said alleged conspiracy was formed or agreed to be carried out, or in what way the same was attempted to be carried out, or what were the acts done in pursuance thereof.

Answer to the sixth article—That for answer to the said sixth article the respondent denies that on the said 21st day of February, 1868, at Washington aforesaid, or at any other time or place, he did unlawfully conspire with the said Thomas by force to seize, take or possess the property of the United States in the department of war, contrary to the provisions of the said act, referred to in the said act, or either of them, or with intent to violate either of them.

Respondent protesting that said Stanton was not then and there secretary for the department of war, not only denies the said conspiracy as charged, but also denies any unlawful intent in reference to the custody and charge of the property of the United States in the department of war, and again refers to his former answers for a full statement of his intent and purposes in the premises.

The reading of the answer occupied one hour and a half.

AUCTION SALES.

CHAS. E. FORTIER'S SALES.

BUILDING LOT FORMING THE CORNER OF TCHOUPITOULAS AND BENJAMIN STREETS.

SUCCESSION OF R. N. OGDEN.

BY CHARLES E. FORTIER,
AUCTIONEER—Office, 48 Exchange Alley.

TUESDAY, April 7th, 1868, at 12 o'clock M., at the Merchants' and Auctioneers' Exchange, on Royal street, between Canal and Customhouse streets, by virtue of an order from the Honorable the Second District Court of New Orleans, dated 5th March, 1868, the following described property belonging to the aforesaid succession, will be sold—

A CERTAIN LOT OF GROUND situated in the First District of this city, in the square comprised within Tchoupitoulas, New Levee, Benjamin and Suzette streets, designated by the No. 1 on a plan of C. K. Hedin, dated 7th March, 1850, and deposited in the office of H. B. Cenas, late a notary public in this city. The said lot forms the corner of Tchoupitoulas and Benjamin streets, and measures 26 feet front on Tchoupitoulas street by 100 feet in depth and front on Benjamin street, between parallel lines American measure.

TERMS—One-half cash, and the balance at a credit of one and two years, in notes secured by mortgage and vendor's privilege, and bearing 8 per cent. interest from date until payment.

Acts of sale before Emanuel Burthe, notary public, at the expense of the purchasers, including United States internal revenue stamps.

PROPERTY CORNER OF PALMYRA AND DERBIGNY STREETS.—SUCCESSION OF MRS. ANNE O'SHEA, DECEASED, WIFE OF JOHN McMAHON.

BY CHAS. E. FORTIER,
AUCTIONEER—Office No. 48 Exchange Alley.

TUESDAY, April 7th, 1868, at 12 o'clock M., at the Merchants' and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, by virtue of an order from the Honorable the Second District Court of New Orleans, dated the 3d March, 1868, the following property, at Public Auction, will be sold—

A CERTAIN LOT OF GROUND situate in the First District of this city, designated by the No. 12, of square bounded by Common, Claiborne, Palmyra and Derbigny streets measuring 25 feet front on Palmyra street, by a depth and front on Derbigny street of 64 feet, being the corner of Palmyra and Derbigny streets; together with all the buildings and improvements thereon.

TERMS—One-third cash and the balance at a credit of twelve and eighteen months, with eight per cent. interest from date until paid, with mortgage and vendor's privilege on the property sold, the buildings to be insured and policy transferred. The purchaser to assume the payment of the taxes for the year 1868.

Act of sale before William J. Castell, Notary Public, at the expense of the purchaser, including U. S. Internal Revenue stamps.

PROPERTY CORNER OF TCHOUPITOULAS [...] STREET, BETWEEN BENJAMIN AND SUZETTE STREETS—MRS. FRANCES S. OGDEN, WIDOW OF R. N. OGDEN, NATURAL TUTRIX, VS. R. N. OGDEN AND ALS.

BY CHARLES E. FORTIER,
AUCTIONEER—Office, No. 48 Exchange Alley.

TUESDAY, April 7th, 1868, at 12 o'clock M., at the Merchants' and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, by virtue of an order from the Honorable the Second District Court of New Orleans, dated March 5th 1868, the following described properties belonging to plaintiffs and defendants will be sold—

1. A CERTAIN LOT OF GROUND, together with all the buildings and improvements thereon, situated in the Suburb Delord, in the square bounded by Tchoupitoulas, New Levee, Benjamin and Suzette streets, and designated by the No. 3 on a plan drawn by Moelhausen, on the 27th January, 1847; the said Lot measuring 35 feet 6 inches front on Tchoupitoulas street, 127 feet in depth on the line separating it from Lot No. 4, 100 feet on the line separating it from Lot No. 2, thence running on a line parallel with Tchoupitoulas street 52 feet to Benjamin street, and 88 feet 6 inches on the rear line running to said Benjamin street, on which it has a front of 27 feet, American measure.

2. TWO CERTAIN LOTS OF GROUND, with all the buildings and improvements situated thereon, in the Suburb Delord, in the square bounded by Tchoupitoulas, New Levee, Benjamin and Suzette streets, and designated by the Nos. 2 and 4 on a plan drawn by N. Moelhausen. The said Lot No. 2 measuring 26 feet front on Tchoupitoulas street, by 100 feet in depth between parallel lines; and Lot No. 4 measures 26 feet front on Tchoupitoulas street, by 127 feet in depth between parallel lines.

TERMS—One-half cash, and the balance on a credit of one and two years in notes secured by mortgage and vendor's privilege, and bearing eight per cent. interest per annum from date until payment. The buildings to be insured and the policy transferred.

Act of sale, with United States internal revenue stamps attached, before Emanuel Burthe, notary public, at the expense of the purchaser.

CHAS. T. NASH'S SALES.

COTTON, COTTON, COTTON, FOR ACCOUNT OF WHOM IT MAY CONCERN.

BY CHAS. T. NASH,
AUCTIONEER—Office Masonic Hall Auction Mart, Corner St. Charles and Perdido streets.

SATURDAY, 28th inst., at 10½ o'clock A. M., at Orleans Press, will be sold—

40 BALES COTTON, damaged on board Str. Lafourche.

TERMS—Cash in United States Treasury Notes.

AUCTION SALES.

G. DE FERIET'S SALES.

VALUABLE AND ELEGANT RESIDENCE, NO. 133 ESPLANADE STREET, BETWEEN RAMPART AND BURGUNDY STREETS.

BY G. DE FERIET,
AUCTIONEER,
Office and Salesrooms 86 Bienville street.

SATURDAY, March 28, 1868, at Noon, at the Merchants' and Auctioneers' Exchange, on Royal street, by public auction, will be sold—

A LOT OF GROUND in the square bounded by Esplanade, Rampart, (late Love,) Kerlerec and Burgundy (late Craps) streets, measuring 29 feet 2 inches front on Esplanade street, by 107 feet in depth, together with the double tenement house (brick between posts) bearing No. 133. Said house is covered with slates and contains six rooms below and two finished rooms in the attic; rear gallery; two story kitchen containing four rooms. The yard is well paved with bricks; rear yard, privies, cistern, hydrant, etc. Said property is insured for $5000 and rented at $65 per month.

Together with 50 Shares of the Capital Stock of the Citizens' Bank of Louisiana, reduced to 49 shares.

TERMS—The purchaser to assume the payment of a note of $3560, due in August, 1869. Interest paid up till then. Also to assume a stock note due 1st June, 1868, to Citizens' Bank, of $888, payable or renewable according to the Charter of said Bank. For the balance of the price of adjudication cash in United States Treasury Notes.

Act of sale, including Internal Revenue stamps attached, before A. Barnett, Notary Public, at the expense of purchaser.

OFFICE FURNITURE, IRON RAILINGS, COTTON Tables, Salamander Iron Safe, etc.

Succession of W. J. Keenan—No. 30,066.

BY G. DE FERIET,
AUCTIONEER—Office No. 62 Royal street.

SATURDAY, March 28th, 1868, at 11 o'clock A. M., at the office and counting room of Messrs. Keenan, Philer & Norris, No. 26 Carondelet street, between Gravier and Common streets, will be sold by public auction by virtue of an order from the Honorable John W. Thomas, Judge of the Second District Court of New Orleans, dated March 6, 1868—

A lot of Office Furniture consisting of Oak Standing and other Desks, Chairs, Cotton Tables, Lounge, Iron Railing, Cocoa Matting, Water Cooler, etc.

Also a splendid Patent Salamander Safe.

TERMS—Cash in United States Treasury Notes.

ATTENTION, GOURMETS, CONNOISEURS, AND AMATEURS OF FINE WINES, CHOICE LIQUORS AND CORDIALS AND SUPERIOR BRANDIES.

THE ENTIRE CONTENTS, FIXTURES, TABLE LINEN, PLATED WARE, GLASSWARE, CROCKERY, FURNITURE, GAS APPARATUS, ETC., ETC., OF THE CELEBRATED BOUDRO LAKE HOUSE, AT PUBLIC AUCTION.

SUCCESSION OF L. BOUDRO.

BY G. DE FERIET,
AUCTIONEER—Office No. 86 Bienville street.

MONDAY, April 6, 1868, at 11 o'clock A. M., at the Lake End of the Pontchartrain Railroad and at the Restaurant of L. Boudro, deceased, by virtue of an order from the Honorable John W. Thomas, Judge of the Second District Court of New Orleans, dated February 11, 1868, by public auction, will be sold—

THE ENTIRE CONTENTS OF THE CELEBRATED BOUDRO LAKE HOUSE, consisting in part of the following articles:

CLOCKS, DINING TABLES, CHAIRS, LOOKING GLASSES, SIDEBOARDS, FINE PIANOS, ARMOIRS, PAINTINGS, ENGRAVINGS, ROCKERS, DESKS, CLOTHES RAGS, SPITTOONS, KNIFE CLEANERS, RANGE, KITCHEN FURNITURE, COOKING UTENSILS, PLATED WARE, TABLE LINEN of all kinds, GLASSWARE, CROCKERY, ALFENIDE WARE, a large quantity of fine CUTLERY, FRUIT STANDS, VASES, etc.

—Also—

The splendid Apparatus for the Manufacture of Gas and the Gas Fixtures and Chandeliers in the premises.

—Also—

Several thousand bottles of WINES OF THE CHOICEST BRANDS, such as—

CHATEAU LAROSE; DESTOURNELLE;
CHATEAU LATOUR; PAPE CLEMENT; NUITS;
CHAMBERTIN; VOLNAY; BEAUNE;
LATOUR BLANCHE; CHATEAU YQUEM;
LAFITTE; CHABLIS;
SAUTERNE; MOSELLE; KRUG;
HEIDSICK; MARICH CLAUDE; GRIX;
VINARD; RHINE; VERMOUTH;

And a choice lot of
FINE OLD COGNAC, WHISKY, RUM, ETC.,
And also a large quantity of PROVISIONS, FANCY GROCERIES, SPICES, CORKS, etc.

TERMS—Cash in U. S. Treasury Notes.

TEN VALUABLE SQUARES OF GROUND IN "VERSAILLES," PARISH OF ST. BERNARD, WITH THE BUILDINGS AND IMPROVEMENTS THEREON, AT PUBLIC AUCTION.—SUCCESSION OF N. I. DAMIENS—NO. 586.

BY G. DE FERIET,
AUCTIONEER—Office 86 Bienville street.

MONDAY, April 13, 1868, at 12 o'clock M., at the Merchants' and Auctioneers' Exchange, on Royal street, between Canal and Customhouse streets, by public auction, by virtue of an order from the Honorable the Second Judicial District Court of the State of Louisiana, sitting in the Parish of St. Bernard, (Court Docket No. 586) the following described real estate will be sold—

TEN SQUARES OF GROUND, with the buildings and improvements thereon, situated in Versailles in the Parish of St. Bernard, and designated by the Nos. 143, 144, 145, 146, 131, 132, 133, 134, 147 and 148.

The said squares are bounded as follows, viz:

SQUARE No. 145 is bounded by Prosper, St. Avide, Laplace and Tournefort streets.

SQUARE No. 144 is bounded by Prosper, St. Avide, Buffon and Tournefort streets.

SQUARE No. 143 is bounded by Prosper, St. Avide and Buffon streets, and Paris Avenue.

SQUARE No. 146 is bounded by Prosper, St. Avide, Laplace and Dalembert streets.

SQUARE No. 131 is bounded by St. Avide, St. John the Baptist, Laplace and Dalembert streets.

SQUARE No. 132 is bounded by St. Avide, St. John the Baptist, Tournefort and Laplace streets.

SQUARE No. 133 is bounded by St. Avide, St. John the Baptist, Buffon and Tournefort streets.

SQUARE No. 134 is bounded by St. Avide, St. John the Baptist and Buffon streets, and Paris avenue.

SQUARE No. 147 is bounded by St. Avide, Prosper and Dalembert streets, and Lacoste's plantation.

SQUARE No. 148 is bounded by Prosper, Solidelle, Dalembert streets and Lacoste's plantation.

The whole according to a plan (No. 85) made by J. Pilie, surveyor, dated April 15, 1837, and deposited in the office of Theodore Seghers, notary public.

TERMS—Cash in U. S. Treasury Notes.

Acts of sale, with U. S. Internal Revenue Stamps attached, before A. E. Bienvenu, Notary Public, at purchaser's expense.

VALUABLE BUILDING LOTS ON BIENVILLE AND ST. PATRICK STREETS.

SUCCESSION OF W. J. MAYNARD—No. 30,055.

BY G. DE FERIET,
AUCTIONEER,
Office and Salesrooms 86 Bienville street.

TUESDAY, April 21, 1868, at 12 o'clock M., at the Merchants' and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, will be sold at public auction, by virtue of an order from the Honorable John W. Thomas, Judge of the Second District Court of New Orleans, dated March 9, 1868, the following described property, viz—

SEVEN LOTS OF GROUND, designated by the Nos. 7, 8, 9, 10, 25 and 26, in the square bounded by Bienville, St. Patrick, Conti and Bernadotte streets.

Lots Nos. 6, 7, 8, 9 and 10 measure each 30 feet front on Bienville street, by 100 feet in depth, Lot No. 10 forming the corner of Bienville and St. Patrick streets.

Lots Nos. 25 and 26 measure each 27 feet 9 inches front on St. Patrick street by 150 feet in depth.

TERMS—Cash in U. S. Treasury notes.

Act of sale, with United States Internal Revenue stamps attached before ———, Notary Public, at the expense of the purchasers, who will be required to assume the payment of the taxes for the current year. (1868.)

VALUABLE IMPROVED PROPERTY, NO. 332 CUSTOMHOUSE STREET, BETWEEN CLAIBORNE AND DERBIGNY STREETS.

SUCCESSION OF ALFRED STICKNEY—No. 14,261.

BY G. DE FERIET,
AUCTIONEER—Office 86 Bienville street.

SATURDAY, April 25, 1868, at 12 o'clock M., at the Merchants' and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, by virtue of an order from the Hon. John W. Thomas, Judge of the Second District Court of New Orleans, dated March 18, 1868, will be sold by public auction, the following described real estate, viz:

A LOT OF GROUND in the Second District of this city, in the square bounded by Customhouse, Canal, Claiborne and Derbigny streets, measuring, in American measure, twenty-four feet front on Customhouse street, by one hundred and five feet four inches and four lines in depth between [...]. The building and improvements consist of a [...] House, No. 332 Customhouse street, [...] six rooms, with gallery in front and [...] privy, etc.

TERMS—One third Cash, and the balance [at] one and two years, in notes of the purchaser [...] order and by him indorsed, payable at the [...] Bank in this city, with interest at the rate of [...] per annum from date till paid, the payment of [...] be secured by vendor's lien and privilege and [...] property sold with the clause "de non aliénation [...]" [pur]chaser to pay five per cent. attorney's fees [in] the recovery of the amount of said notes, [...] and to keep the buildings on said lot insured [...] payment of the notes and up to the amount [...] benefit of the holder or holders of the same, [...] taxes for the year 1868, due or to become due.

The act of sale, with U. S. internal revenue [stamps at]tached, before Selim Magner, notary public, at [purchaser's] expense.

SUCCESSION OF WIDOW BAZILE JA[...] JAILLAU—NO. 30,249.

BY G. DE FERIET,
AUCTIONEER,
Office—No. 86 Bienville [street].

TUESDAY, April 28, 1868, at 12 [o'clock] M., at the Merchants' and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, [by virtue of] an order from the Honorable the Judge of the [Second District] Court of New Orleans dated March [...] [the following] described real estate belonging to said [succession, will be] sold, viz:

A CERTAIN LOT OF GROUND in the square bounded by Washington, Lepage, Sixth and Seventh streets, [forming] the corner of Washington and Seventh streets, [measuring ...] feet front on Washington street by 120 feet in depth on Seventh street, together with an old house erected thereon.

TERMS—Cash in U. S. Treasury notes.

Act of sale with Internal Revenue Stamps [attached,] before A. Doriocourt, notary public, at purchaser's [expense].

SUCCESSION OF JAMES GROGAN—No. [...]

BY G. DE FERIET,
AUCTIONEER,
Office and Salesrooms 86 Bienville street.

TUESDAY, April 28, 1868, at 12 o'clock M., at the Merchants' and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, by virtue of an order from the Honorable the Judge of the Second District Court of New Orleans, dated March [...], the following described real estate, belonging [to said succession,] will be sold, viz—

A CERTAIN LOT OF GROUND, in the [...] of this city, in the square bounded by [...] Rocheblave and Dorgenois streets, designated [by the No. ... on a] plan 46, deposited in the office of [...] public. Said lot measuring 27 feet 6 inches [front on ...]quet street, by 105 feet 10 inches and 3 lines [in depth between] parallel lines.

TERMS—Cash in U. S. Treasury Notes.

Act of sale, with U. S. Internal Revenue [stamps,] before Octave Stringer, notary public, at the [expense of the] purchaser.

MONTGOMERY BROS. & CO.'S SALES.

LARGE AND PEREMPTORY SALE OF Match and Single Horses, Elegant Saddle Horses, Work Mules, Fine Milch Cows, Buggies, [Harness,] etc., etc., at auction.

BY MONTGOMERY BROS. & [CO.]
R. M. MONTGOMERY, [Auctioneer.]
Office—[...] Camp street.

SATURDAY, March 28th, at 11 [o'clock] A. M., at P. Liner's Stables, Gravier street, [...]

Elegant Match Horses.
Elegant Saddle Horses.
Fine Work Mules.
Fine Milch Cows.

Also—Top and Open Buggies, Harness, Wagons.

TERMS—Cash in U. S. Treasury Notes.

FURNITURE.........FURNITURE.........F[URNITURE].

BY MONTGOMERY BROS. & [CO.]
R. M. MONTGOMERY, [Auctioneer.]

SATURDAY, March 28th, at 11 [o'clock] A. M., at their Auction Mart, 87 Camp street, [will be sold] A general assortment of HOUSEHOLD F[URNITURE,] such as Rosewood, Mahogany and Walnut [...] reans, Armoirs, Washstands, Mahogany and W[alnut] Sofas, Spring Seat Chairs, Easy Chairs, Marble [Top] Tables, Marble Top Sideboards, Extension Tables, Brussels Carpets, French Plate Mirrors, [...]ings, Paintings, Cooking Stoves and Utensils, [the] contents of several well-furnished houses.

—Also—

A large invoice of Cottage Beds, Cane [and Wood Seat] Chairs, etc.

TERMS—Cash in U. S. Treasury Notes.

PEREMPTORY SALE OF THE FINE LOW [PRESSURE] Lake Steamer CAMELIA at Auction.

BY MONTGOMERY BROS. & [CO.]
R. M. MONTGOMERY, Auctioneer.
Office—89 Camp [street].

TUESDAY, March 31, 1868, at 12 [o'clock] M., at the Merchants' and Auctioneers' Exchange, Royal street, between Canal and Customhouse [streets, will be] sold—

The fine low pressure passenger Lake Steamer [CAMELIA,] 185 feet long, remarkably fast, economical in [fuel,] with all her Tackle, Machinery, Furniture, etc., in [good] order and condition completely furnished [with everything] required for a first-class passenger steamer.

TERMS—Cash in U. S. Treasury Notes.

SHERIFF'S SALES.

ERNEST VOLKMANN VS. T. H. ECK[...]—[Sixth Dis]trict Court of New Orleans, No. [...]

BY VIRTUE of a writ of fieri facias directed by the Honorable the Sixth District Court of New Orleans, in the above entitled cause, I will sell at public auction, at the Merchants' and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets in the Second District of this city, on [...] thirtieth day of March, 1868, at 12 o'clock M., the following described moveable property, viz:

A LOT OF GROUND, situated in the Third District of this city, measuring 32 feet front on Montegut street, [...] feet deep between Craps and Love streets, together with a handsome house of two rooms, front and back gallery, two closets, kitchen of two rooms, shed, cistern, [...] and a fine garden in front of the house. Said property known as No. 112 Montegut.

Seized in the above suit.

TERMS—Cash on the spot.

GEO. W. A[VERY,]
fe27 mh13 28 Sheriff of the Parish of [Orleans].

FRANCOIS BOISDORE VS. GEORGE A[ND ...] Malcolm—Second District Court of New Orleans, No. 2912.

BY VIRTUE of a writ of fieri facias to me directed by the Honorable the [Second District] Court of New Orleans, in the above [entitled cause, I] will proceed to sell at Public Auction, at the Merchants' and Auctioneers' Exchange, Royal street, between [Canal and] Customhouse streets, in the Second District of [this city, on] SATURDAY, the fourth day of April, 1868, at 12 [o'clock M.,] the following described property, viz:

A CERTAIN LOT OF GROUND, situated in the [...] District of this city, in the square bounded by [...] (formerly Apollo) Nayades, Clio and Erato streets, [measuring] thirty-one feet ten inches front on Carondelet [street, by a] depth of sixty-three feet eleven inches and [...] between parallel lines. Together with the building [and im]provements on said lot, which consist of a [...] house, containing four rooms, etc; frame kitchen, [...] The house and kitchen being slate roofed.

Seized in the above suit.

TERMS—Cash on the spot.

GEO. W. A[VERY,]
mh4 25 ad Sheriff of the Parish of [Orleans].

J. R. VILLAVASO & CO. VS. HARLOW J. PH[ELPS]—Sixth District Court of New Orleans—No. [...]

BY VIRTUE of a writ of fieri facias directed by the Honorable the Sixth District Court of New Orleans, in the above entitled cause, I will [sell] at public auction, at the Merchants' and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on [...] April 7th, 1868, at 12 o'clock M.—

All the rights, title and interest of Harlow J. Phelps to his claim against Henry Boyce, as set forth in [his petition] and demand in reconvention of said Harlow J. Phelps [in the] suit of Henry Boyce vs. Harlow J. Phelps, No. [...] docket of the Sixth District Court of New Orleans, [in] which claim judgment was rendered on the 5th [day of Feb]ruary, 1868, by the Sixth District Court of New Orleans, [in] favor of said Harlow J. Phelps, against the said Boyce, to the amount of One Hundred Bales of Cotton, [...] hundred and fifty pounds per bale and at thirty [cents per] pound.

And all the rights, title and interest of the said [Harlow] J. Phelps in and to the aforesaid judgment against Henry Boyce.

An appeal has been taken from said judgment [to the Su]preme Court.

Seized in the above suit.

TERMS—Cash on the spot.

GEORGE W. AVERY,
mh26 apl 7 Sheriff of the Parish of [Orleans].

[...]SLES CASE. RECEIVER [...] Bank [of] New Orleans, vs. James Walsh—[...] Court of New Orleans—No. 18,474.

BY VIRTUE of a writ of fieri facias to me directed by the Honorable the [...] trict Court of New Orleans, in the above [entitled cause, I] will proceed to sell at public auction, at the Merchants' and Auctioneers' Exchange, Royal street, between [Canal and] Customhouse streets, in the Second District of [this city, on] SATURDAY, April 18th, 1868, at 12 o'clock M., [the follow]ing described property, viz:

ONE CERTAIN LOT OF GROUND situated in the First District of this city, known as [...] in square No. 4 A, bounded by Lafayette, Girod, [...] Delta streets, designated by the number two of [...] on the plan by Jos. Pilie, late Surveyor, measuring four feet three inches front on Delta and Front [streets, by a] depth of one hundred and twenty-five feet and [...] between parallel lines, together with all the rights, ways, [and ad]vantages thereunto belonging or in any wise appertaining.

Seized in the above suit.

TERMS—Cash on the spot.

GEO. W. AVERY,
mh18 ap 18 Sheriff of the Parish of [Orleans].

HENRI PIUSSAN VS. AUGUSTE MANN[...]—Third District Court of New Orleans—No. [...]

BY VIRTUE of a writ of fieri facias to me directed by the Honorable the Third District Court of New Orleans, in the above entitled cause, I will [proceed to] sell at public auction, at the Merchants' and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on [...] the 21st day of April, 1868, at 12 o'clock M., the following described property, viz:

TWO CERTAIN LOTS OF GROUND, situated in the First District of this city, in the square bounded by Philippa, Common and Baronne streets, designated [by the Nos.] 13 and 14.

LOT No. 13 measures 26 feet 2 inches and 4 lines on [Philippa] street, 30 feet 6 inches and 2 lines deep and fronts on [an] alley running from Philippa to Baronne street, [...] inches deep on the side next to lot No. 25, and [...] the rear.

LOT No. 14 measures 25 feet front on the above [...] 26 feet in depth.

Together with the buildings and improvements thereon.

Seized in the above suit.

TERMS—Cash on the spot.

Said property is subject to a lease expiring on the [...] of November, 1870, at a yearly rental of $240, [...] passed before Abel Dreyfous, notary public in [...] dated November 7th, 1867.

GEO. W. AVERY,
mh21 ap21 Sheriff of the Parish of Orleans.

FOR SALE—REAL ESTATE—SEVERAL [hun]dred Cotton and Sugar Plantations, located in [...] portions of the cotton and sugar-growing States. Also Plantations, Orange Orchards, and large bodies of [...] timber lands. Also a large variety of City and [Country] Property, improved and unimproved, in the form of [dwellings,] stores, building lots and squares, on favorable terms. [Persons] wishing to invest will do well to call and examine our [list]ies. Blackaber & Miller, Real Estate Agents, No. [...] Gravier street, New Orleans.