[CONTINUED FROM THIRD PAGE.]

believing, as a judge sitting here, I have a right to ask any question.

The Chief Justice: The Chief Justice is not of that opinion. It is not pertinent to the issue before the court.

Senator Blackman: It seems to me that I have a right to ask the question. We have to decide, not only upon the competency of witnesses, but upon the validity of their testimony. Therefore, I ask that it be answered.

The Chief Justice: The Chief Justice is of the opinion that no question can be asked except it have a bearing upon the matters at issue. This question has nothing to do with the question before the court, but as the question has been answered, it is useless to discuss the matter further.

TESTIMONY OF H. PERALTA.

H. Peralta, witness for the prosecution, was called and duly sworn by the Secretary of the Senate.

Examination in chief, by Mr. Manager Lowell:

Q. What is your name?
A. Hypolite Peralta.
Q. Were you formerly Auditor of Public Accounts?
A. Yes, sir.
Q. At what time?
A. Do you mean since or before the war?
Q. Since the war.
A. From December, 1865, to July 10, 1868.
Q. As Auditor, were you custodian of the bonds of the State?
A. Yes, sir.
Q. Do you remember the issue of four millions of bonds?
A. Yes, sir.
Q. How many of these were issued during your administration?
A. I think it was near twenty-four hundred thousand as near as I can recollect
Q. What time of the year was that?
A. We began to issue them in February, 1868.
Q. What was the date of the act?
A. The act was passed in May, 1867.
Q. When were those bonds dated, or required to be dated?
A. They were required to be dated on the first of May, 1867.
Q. The first coupon was then due, when?
A. On the first of December, 1867.
Q. And the second?
A. First of May, 1868.
Q. And the first bonds issued were in February, 1868.
A. Yes, sir.
Q. What was done with the matured coupons.?
A. They were cut off and destroyed by fire.
Q. Who cut them off?
A. I did, sir, or Mr. Giffen, as the case might be, or both together.
Q. Who destroyed them?
A. He did, or I did in the presence of our clerks.
Q. Was there any notarial act drawn up?
A. No, sir, none whatever, it was not required by law.
Q. Was that the invariable custom to burn the bonds.
A. Yes, sir, we never failed to do it.
Q. And the coupons that were partly matured?
A. They were indorsed on their face what they were worth; the amount was indorsed right across their face in large figures, good for whatever the amount might be.
Q. You say you issued these in February, 1868. How many did you issue then?
A. We only began to issue.
Q. At how many times did you issue?
A. They were issued from that day up to the time I left the office; sometimes every day; sometimes once a week; sometimes twice a week.
Q. How came you to have the custody of these bonds?
A. They were placed by Governor Wells in the Louisiana National Bank, and whenever we had any to issue we would go and get them and take them to Governor Wells or Governor Flanders for the purpose of getting them signed; let me see, I think it was Governor Wells, if I am not mistaken.
Q. You state you were the custodian of these bonds; by what authority or law?
A. Under the act creating the four millions of bonds the Auditor and Treasurer were custodians of the bonds; I think that is a special clause in the act.
Q. Then you were both custodians?
A. Yes, sir.
Q. Did you, as Auditor, have the exclusive custody of them?
A. No, sir, not at all, no more than Mr. Giffen had.
Q. Did you at any time?
A. No, sir, they were always deposited during my time at the Louisiana National Bank, and were never removed from there; they were placed there for safe-keeping, and whenever we wanted any bonds to deliver, under the orders of the Board of Levee Commissioners, then Mr. Giffen or myself would go there and take the number of bonds that were needed. They were never removed from the Louisiana National Bank, while I was in office, except as Mr. Giffen or I wanted them.
Q. When you went to the bank for the bonds could you get them yourself without an order signed by the Treasurer?
A. Yes, sir; but we generally send a clerk representing both offices; either a clerk from my office went with a clerk of the treasurer's office, or *vice versa*.
Q. But the bank delivered them to you personally or to Mr. Giffen personally?
A. Yes, sir.
Q. Did you turn over any of these blank bonds to your successor?
A. No, sir; they were at the bank there and I did not turn any bonds over.
Q. You say there were four million blank bonds originally, and you issued twenty-four hundred thousand; what became of the others?
A. The others were left in the bank; Mr. Giffen had charge of them after I left the office.
Q. Did not the Auditor have charge of them the same!
A. Yes.
Q. Mr. Wickliffe then took your place as custodian?
A. I presume so; they were blank bonds, and the Governor had to sign them first, before we ever noticed them; no records were made of them at all until after they were signed and ready for delivery.
Q. Were any coupons attached to those 1600 blank bonds, which you left in the bank when you left the office?
A. No, sir, not that I am aware of.
Q. What time did you leave the office?
A. I left the office on the eleventh of July, 1868.
Q. How many matured coupons were there then?
A. There was one on the first of November, 1867, and on the first of May, 1868, there were only two.
Q. What would be the number of those?
A. Numbers one and two.
Q. Did you cut up and reissue, during your administration, any warrants issued by the Legislature of 1862?
A. No, sir.
Q. Were any presented to you?
A. No, sir.
Q. Would you have cut them up if they had been presented?
A. No, sir.

Mr. Semmes, of counsel for the accused: I object to the witness giving his opinion about the matter.

The Chief Justice: The counsel objects to the witness giving his opinion. The Chief Justice decides that the opinion of witnesses in these matters is not evidence, he can state facts.

Mr. Manager Lowell: This is an official opinion which we require. He says he would not cut up a warrant of 1862. I simply asked why he would not.

The Chief Justice: If it were the opinion of an expert which was required, it would be proper evidence.

Mr. Manager Lowell: This is an opinion of an officer who for several years was familiar with the routine of the office.

The Chief Justice: It must be with a view of obtaining the opinion of a witness upon a question requiring the artistic skill or scientific knowledge of an individual. In that case the opinion is evidence, not otherwise.

Mr. Manager Lowell: That is the object we have in asking this question. Do I understand it as ruled out?

The Chief Justice: I did not hear the question or answer of the witness; I only heard the objection.

Mr. Semmes, of counsel: The question propounded was, "What would you have done if the warrant issued prior to the war had been presented to you?" I do not care what he would have done—it is a mere matter of opinion whether he would or not.

Mr. Manager Lowell: He has answered that question.

Mr. Semmes: I understand not. He answered that he would not but what he would have done is not evidence.

The witness: I answered the question before the objection was made.

Mr. Manager Lowell: Now, I ask the witness why he would not have done so?

Mr. Semmes: Well, I object to that.

Mr. Gray, of counsel: If the court please, I have this to state: I do not see what purpose this has in the examination. What the witness would or would not have done can be no legal evidence against the Auditor. Therefore, I object to the whole examination, because they must prove facts and not opinions. They must prove what we have done, not what others would have done.

The Chief Justice: The Chief Justice thinks the objection well taken; it is but the opinion of the witness to what he would have done under a peculiar state of affairs; that is not evidence in this case.

Question by Mr. Manager Lowell: You state that you were Auditor since the war, from 1865 to some time subsequent. Was it the practice in your office during that time to recognize warrants issued in 1862?
A. No, sir.
Q. Why were they not recognized?
A. Well, sir, they were never brought in. I do not recollect that I ever saw one after I got back from the seat of war.
Q. Where was the Auditor's office in 1862?
A. Part of the time it was in Baton Rouge, Opelousas and Shreveport; no, we only got to Shreveport in 1863. It was in Baton Rouge and Opeloussas.
Q. What was the capital of the State?
A. Baton Rouge.
Q. Why did you remove the Auditor's office to Opelousas?
A. Well, it was to get away from the Federals.
Q. What was the condition of this State in Feornary, 1862?
A. Well, sir, we were still in Baton Rouge; we only moved from Baton Rouge in April, 1862.
Q. Was not the State in what we term in a state of rebellion against the United States in February, 1862?
A. Yes, sir; the State seceded, you know, in January, 1861.
Q. And they were still seceded in February, 1862?
A. Yes, sir.
Q. No portion of the State had been surrendered?
A. No portion of the State at that time was in possession of the Federals—not until April, 1862.

The witness: I wish to correct a statement made by Mr. Giffen before the investigation committee of the House, which I think is very material.

Mr. Manager Lowell: We have no objection.

The witness: Mr. Giffen says: "I received from Mr. Peralta, former Auditor, about 101 levee bonds. This was just before Mr. Peralta vacated his office, and after Governor Warmoth took charge of his office. As well as I remember, there were two overdue coupons cut off, and one indorsed with the amount due." That is the part that I wish to correct. Mr. Giffen evidently made an error, for the 101 bonds he refers to I never saw, or had in my possession one second. Those bonds were handed by Mr. Snethen to Mr. Pike, and they were in possession of Mr. Pike on the eleventh of July. Mr. Pike came to the office with the bonds. I had then transferred the office to Mr. Wickliffe, and they were at no time in my possession. Thence, if the coupons were cut off, they were not cut off by me, for I had not the bonds in my possession, and never had.

Mr. Manager Lowell. My impression is that Mr. Giffen made that straight last night in his testimony.

Mr. Peralta: I thought I would correct it because the impression left is, that he got the bonds from me after the coupons had been cut off.

Question by Mr. Semmes: I call for the production of the warrant which is referred to in this case.

Mr. Manager Lowell: We are going to try to produce it; we are going to call upon the defendant to produce the bond.

Mr. Semmes; I refer to the one thousand dollar warrant.

Mr. Manager Lowell: Oh, yes, we will introduce that.

Mr. Semmes: I want it shown to the witness so that I can cross examine him in regard to it.

Cross examination:

Mr. Semmes, counsel for the accused, here handed the warrant book to the witness and said:

Q. That is the warrant. I perceive it is dated the twentieth of February, 1862. It is signed by you, is it not?
A. Yes, sir.
Q. Will you state from the warrant what was the purpose for which it was issued?
A. It was issued in favor of a charitable institution, I believe.
Q. Which one?
A. The Maison de Cinque Plais; the House of Five Wounds, in Jefferson City.
Q. Does the warrant refer to an appropriation made by the Legislature for that purpose?
A. (Reading from the warrant book), "The amount appropriated for the relief of said institution, under act seventy-eight, of 1862."
Q. I see it is dated twentieth of February, 1862. At that time where was the seat of government?
A. Baton Rouge.
Q. It was before the capture of the city of New Orleans, of course?
A. Yes, sir, we were in Baton Rouge.
Q. Had that institution anything to do with the war, that you are aware of, in any way?
A. I think not, sir, I do not know.
Q. What was the character of its charities?
A. Raising of orphan girls, I believe.
Q. We have heard a great deal about cutting warrants; what does that signify; is it anything more than dividing up the original obligation, so that if the original obligation is valid the cutting up neither diminishes nor increases the responsibility of the State?
A. Of course not.
Q. It is a mere matter of convenience to the person holding the obligation?
A. Yes, sir, merely to accommodate people.
Q. This thing of cutting up warrants has only been introduced since the suspension of payment in money?
A. Yes, sir, it is only a new system, established two or three years ago.
Q. The truth is, I suppose the law does not contemplate any such thing?
A. There is no prohibition of it.
Q. No prohibition of it, but the law does not require it.
A. Formerly, when there was plenty of money in the State treasury, there was no cause to divide a warrant, because the very moment a warrant was issued it was paid.
Q. Under the law as contemplated, warrants would be like a check upon the bank?
A. Yes, sir.
Q. It was only in consequence of a suspension of payments in currency that it became necessary to cut them up in small fractions?
A. Yes, sir.

Redirect examination by Mr. Manager McMillen.

Question. You stated, in your cross-examination, that if the condition of the treasury rendered it necessary, the Auditor could subdivide warrants from large into small amounts. Was it your practice to do so when you were Auditor?
A. Yes, sir, I did so whenever parties wanted small warrants.
Q. Whenever parties asked it as an accommodation, you were in the habit of doing so?
A. Yes, sir.
Q. Did you demand extra compensation for such labor?
A. Never, sir.
Q. Did you ever receive extra compensation for such work?
A. No, sir.
Q. Did you regard it as a part of your official work, to do such work?
A. I did.
Q. Do you consider that, when a citizen of the State has accepted an office—

Mr. Semmes, of counsel: I object to that question in advance, as it is an opinion of the witness.

Cross-examination resumed.

Question by Mr. Semmes: While you were in office the State was in a condition to pay its debts, was it not.
A. No, sir.
Q. Did you have much of this cutting up to do?
A. Yes, sir; a good deal.
Q. How long a time before Mr. Wickliffe came into office did you commence cutting up warrants?
A. About twelve months, or thereabouts. I do not recollect, but it was the practice of the office.
Q. Were you ever asked to cut up warrants into fifties, one-hundreds, tens, etc.?
A. Yes; every denomination almost.
Q. Did you have the force to do it?
A. Yes, sir; I did it all.
Q. Were the expenditures of the State then as large as they have been since the accession of new officers?
A. The expenses of the State were not as large as they are now; still they were large enough.

Re-direct examination.

Question by Mr. Manager McMillen: I would like to ask Mr. Peralta how many clerks he employed in his office for the last two years?
A. I had five clerks.
Q. Were these five clerks sufficient to perform all the duties of your office, and all the additional labor which devolved upon you of cutting up warrants?
A. Yes, sir; but there was not as much work as there has been since. I must add that, in justice to the office. I think there is double and three times the work in the office now that there was then, because cutting up warrants to-day has got to be a perfect science, taking six clerks to do nothing else. In my days the work was not as large as it is to day. To-day, everybody expects five or ten dollars warrants. In my time they were satisfied with one hundred dollar warrants, sometimes fifty dollar warrants.
Q. The five clerks you had were sufficient to discharge all your duties, including cutting up warrants, sometimes to as low as fifty or one hundred dollars?
A. Yes, sir.

Cross examination resumed.

Question by Mr. Semmes: You say under the present regime, it takes from five to six clerks to cut up warrants?
A. Yes, sir.

TESTIMONY OF F. DUBUCLET.

F. Dubuclet was called as witness for the prosecution, and was duly sworn by the Secretary of the Senate.

Examination in chief by Mr. Manager Lowell:

Q. What is your name?
A. F. Dubuclet.
Q. What is your business?
A. Chief Clerk of the State Treasurer's office.
Q. How long have you been in that capacity?
A. Since the present Treasurer has been in office.
Q. Do you recollect a warrant being presented for payment, in the winter of 1869, drawn for coupons on levee bonds?
A. Yes, sir.
Q. Was there anything irregular about it?
A. Yes, sir.
Q. What was the irregularity?
A. They were drawn for coupons on levee tax fund, and we had never seen any before that.
Q. What was the amount of this warrant?
A. One thousand nine hundred and eighty dollars, I believe.
Q. Do you remember the number of the warrant?
A. No, sir.
Q. Was it paid at the Treasurer's office?
A. No, sir.
Q. How did you receive it if you did not pay it?
A. Through a tax collector.
Q. Then it was paid in receipt for taxes?
A. Yes, sir.
Q. What became of the warrant after it was received in your office?
A. It was returned to Mr. Wickliffe.
Q. For what purpose?
A. Because it was pronounced not good; we could not receive it in the office.
Q. Did he return the money for it?
A. Yes, sir.

Cross examination by Mr. Semmes:

Q. Do you recollect whether it was in two or three warrants?
A. Two warrants.
Q. Do you recollect whether the number of the coupons, for which the warrant was drawn, was expressed on the warrants?
A. Yes, sir; I think they were.
Q. Were the dates, when they were due, expressed on the warrants?
A. I suppose they were, but I can not certify, it was so long ago.
Q. Do you recollect whether the warrants expressed that they were for bonds numbers one or two?
A. I can not recollect that.
Q. Do you recollect whether the dates of the coupons were expressed on the warrants?
A. No, sir.
Q. The numbers you do recollect?
A. The numbers of the coupons were not expressed.
Q. What then attracted your attention to them?
A. They were the first I had ever seen of that kind.
Q. What do you mean by that kind?
A. I mean those drawn for coupons upon the levee tax fund.
Q. Then your attention was drawn because they were the first warrants you had seen drawn for coupons upon the levy tax fund?
A. Yes sir.
Q. Have you the Treasurer's books here, or the entry in this case?
A. No sir, it is a very large book, and would require a strong man to carry it. I can procure it, though, if you require it.

Mr. Semmes: I could tell if I would require it if I could ascertain from you whether or not that book contains any reference to the number of the coupons upon which that was drawn or their date.
A. No, sir.
Q. You do not recollect?
A. No, sir.
Q. Do you know?
A. I think it does not.
Q. How do you keep your account on the treasury in regard to these coupons?
A. The number of the coupons are never expressed on the warrant; do you mean the numbers which are on the coupons?

Mr. Semmes: I know the warrant expresses fifty, sixty, or seventy coupons, as the case may be; but does it not say for payment of coupon number so and so and attached to bond number so and so?
A. No, sir, not at all.
Q. Your book would not show anything of that sort?
A. No, sir.
Q. What guard have you then on the treasury to prevent coupons to any amount being paing paid over and over again?
A. It never has been done.
Q. What guard have you, I say?
A. I do not know.

Mr. Manager Lowell: This witness is chief clerk in the office of the Treasurer; we propose by him to identify the warrants and the coupons, or vouchers, upon; the warrant was issued which we introduce the record of that warrant which I hold in my hand. It is the record of the issue of the warrant No. 7071, dated December 25, 1868. It has been obliterated, but I think I am able to state what the original entry was. We now ask for an order upon Mr. Wickliffe to produce the warrant, and the coupons upon which that warrant was issued. I will state, Mr. Chief Justice, that we have proved by this witness, that this particular warrant was received by Mr. Wcikliffe, and that he paid the money into the treasury for it. We now ask an order on him to produce this warrant No. 7071, and the coupons upon which it was issued.

The Chief Justice: Will the counsel for defendant produce the warrant without an order?

Mr. Semmes, of counsel: We require a notice and the order to be served upon us, so that we can answer whether we can or can not. I will take notice of the order made in open court, that you have asked an order upon us to produce the original warrant No. 7071, and the coupons upon which it was issued. We will be prepared either to produce it or make an answer why we can not, to-morrow morning.

The Chief Justice: Will the manager please reduce his motion to writing?

Mr. Manager Lowell: Yes, sir. We put in now these printing and pension accounts; we have drawn off the number of the pages; we do not put in the whole books, but these particular pages of them.

Mr. Semmes: I would like the managers to state for what purpose this evidence is offered?

Mr. Manager Lowell: For the purpose of showing that the appropriation was over drawn.

Mr. Semmes: You offer a book?

Mr. Manager Lowell: Yes, sir; we offer these pages of the record of the appropriation book.

Mr. Semmes: To show that a certain number of warrants have been drawn, amounting to a certain sum of money—that is the object at present, is it?

Mr. Manager Lowell: Yes, sir.

Mr. Semmes: We have no objections to its introduction for that purpose.

Mr. Manager Lowell then offered the following references to the records of the Auditor's office:

Printing and advertising—Folios 167, 168, 389 to 398 inclusive.

Folios 727 to 740 inclusive, appropriation book No. 2.

Same—Folios 150 to 158 inclusive, ditto 3.

Pensions—Issued act No. 136, of 1867—Folios 173 to 177, appropriation book No. 2.

Folios 218 to 226, appropriation book No. 3.

Pensions—Issued act No. 152 of 1868—Folios 415 to 424, 527 to 536 and 704, appropriation book No. 2.

Folios 232 to 253, 394 to 397 inclusive, appropriation book No. 3.

The following order, offered by Manager Lowell, was then read by the Secretary:

Ordered, That the defendant, George M. Wickliffe, Auditor of Public Accounts, be required to produce the original warrant No. 7071, and the coupons upon which such warrant was drawn.

The Chief Justice: The Secretary will call the roll. Those in favor of the order being granted will vote "yea;" those opposed will vote "no."

The roll being called, the order was adopted by the following vote.

Yeas: Anderson, Antoine, Bacon, Beares, Braughn, Campbell, Darrall, Day, Egan, Foute, Fatch, Lewis, Lynch, Ogden, Packard, Pinchback, Poindexter, Ray, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—24.

Nays: None.

Mr. Semmes, of counsel: We take notice of the order, and will answer to-morrow morning.

TESTIMONY OF PAUL LE SASSIER.

Paul Le Sassier, witness for the prosecution, was called, and duly sworn by the Secretary of the Senate.

Examination in Chief:

Question by Mr. Manager Lowell: State your name and occupation?

Answer. Paul Lessassir; I am with J. Hernandez, broker.

Q. Do you recollect ever having a warrant drawn in 1862?
A. Yes, sir.
Q. What was the amount of it?
A. One thousand dollars.
Q. Do you remember the date of it?
A. No, sir, not otherwise than that it was drawn in 1862.
Q. How came you in possession of that warrant?
A. I bought it.
Q. What did you give for it?
A. Seventy cents.
Q. Did you try to sell it?
A. I did sell it.
Q. What did you get for it?
A. Sixty-nine cents.
Q. What were State warrants worth then?
A. About seventy-two and a half or seventy-three.
Q. Who did you sell this warrant to?
A. Mr. Strauss.
Q. Did you ever present it at the Auditor's office?
A. Yes, sir.
Q. Who did you present it to at the Auditor's office?
A. I saw Mr. Lagroue there.
Q. Did he cut it up for you?
A. No, sir.
Q. Did he refuse?
A. Yes.
Q. For what reason?
A. He said an appropriation must be made by the Legislature for it.
Q. He said there was no appropriation for it.
A. Yes, sir.
Q. Who did you sell this warrant to?
A. Strauss, a broker on St. Charles street.
Q. For what purpose?
A. To have it cut up.
Q. Why did you want it cut up?
A. Because I thought I would have difficulty in selling it as it was.
Q. Was it too large to sell?
A. Not only that, but there were several indorsements upon it, and it was suggested to me that I would have some difficulty in getting rid of it.
Q. Have you negotiated that kind of warrants before or since?
A. No, sir.
Q. You sold the warrant in its original shape?
A. Yes, sir.

By Mr. Manager McMillen:

Q. You sold it after you had applied to have it subdivided?
A. Yes, sir; after I found it was not receivable for taxes, and could not be cut up.
Q. Who told you it was not receivable for taxes?
A. Mr. Dubuclet.
Q. Were other warrants receivable at that time for taxes?
A. Yes, sir.
Q. Why was this particular warrant not receivable?
A. I do not know; because it was issued in 1862, I suppose. What guided me in buying it was the fact that they would not pay it for want of funds.
Q. That was the case with other warrants, was it not?
A. Yes, sir; but that suggested that it was good, and I bought it.
Q. Why should not a warrant, issued in 1862, be paid as well as any other?
A. For want of funds.
Q. Was that the only reason why this warrant was not paid?
A. Well, I don't know that. It had that indorsement on it by Mr. Dubuclet, and that was what guided me in buying.
Q. Why was this warrant not receivable for taxes?
A. Well, it was signed by Mr. Peralta, and it was dated in 1862; that was the only reason I could see.
Q. Then warrants signed by Mr. Peralta and dated 1862, were not receivable for taxes in 1869.
A. The Treasurer said not.

Mr. Gray, of Counsel: This is a mere question of opinion, and I do not think testimony can be introduced to show whether they were receivable or not. The law determines that. Upon the part of the defense, we contend that this was receivable—that it was a legitimate deed on the part of the State. But, to prove by this witness what the laws are—whether it was receivable or not receivable, we do most positively object.

Mr. Manager McMillen: Mr. Chief Justice, besides being a question of law, it seems also to be a question of fact, so far as this particular warrant is concerned. We are trying to establish the fact that this warrant was presented in 1869, and that it was refused by the State Treasurer; and we are trying to elicit from this witness a reason for such refusal. I am very well aware, Mr. Chief Justice, that warrants drawn by the Auditor against the Treasurer of the State were made receivable by law for State taxes during 1869, but we want to establish the fact that this warrant has been presented to the Treasurer, and he was asked the question whether or not this particular warrant would be receivable for State taxes, and he refused to receive it.

Mr. Gray, of counsel: This witness has already stated that—he says they were receivable.

The Chief Justice: The question of law is well taken as the court conceives, but it is competent to prove the state of facts that the managers desire to prove.

Question by Mr. Manager McMillen: You have stated, then, that you presented this warrant to Mr. Dubuclet, State Treasurer, and asked him whether or not it would be received for State taxes, and he stated not. Now, I ask, why was it?
A. He did not tell me.
Q. Do you know any reason why it should not have been received?
A. No, sir, he did not state why it was not; he told me that an appropriation would have to be made, the same as Mr. Wickliffe told me, when I went to him te have it cut up.
Q. You have already stated that in your judgment it was not receivable because it was issued in 1862?
A. I told you that I supposed that was the reason.

Cross-examination resumed:

Question by Mr. Semmes: Have you got the warrant there? (to the Secretary). I want to know in whose handwriting that warrant is. (The Secretary here handed the $1000 warrant to counsel.) It is indorsed, "Presented to me and refused for want of funds—Adam Giffen." Did you present it to Mr. Giffen?
A. No, sir.
Q. Was that indorsement on it when you presented it?
A. No, sir.
Q. Then I see it is indorsed by Antoine Dubuclet, January 27, 1869. Was that indorsement on it when you obtained it?
A. Yes, sir.
Q. When did you buy it?
A. I did not hold it more than a month.
Q. You presented it to Mr. Dubuclet then?
A. Yes, sir.
Q. In 1869?
A. Yes, sir. That indorsement was on it when I purchased it.
Q. Dubuclet's indorsement?
A. Yes, sir.
Q. You purchased it after May, 1869, then?
A. Yes, sir.
Q. Who did you buy it of?
A. I bought it of MacMurdo & Rawle.

The evidence of this witness here closed.

Mr. Manager Lowell: Mr. Chief Justice, these are all the witnesses here. We have been obliged to send an attachment to the country for one witness, who has not yet arrived, but who will be in, I suppose, this evening or to-night. I, therefore, suggest that we can not proceed any further at this sitting, or before to-morrow.

Senator Wittgenstein: I move that the Senate, sitting as a Court of Impeachment, do now adjourn until to-morrow, at one o'clock.

Adopted.

The Chief Justice then announced that the Senate, sitting as a Court of Impeachment, stood adjourned until to-morrow at one o'clock P. M.

SHERIFF'S SALES.

Mauheim Berwin vs. Louis Gimbel.

FIFTH DISTRICT COURT FOR THE parish of Orleans, No. 1104.—By virtue of a writ of fieri facias to me directed by the Honorable the Fifth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction on the premises hereinafter designated, on MONDAY, March 14, 1870, at half-past ten o'clock A. M.—

The CONTENTS OF A SHOE STORE, situated at No. 523 Magazine street, in the Fourth District of this city, and also the Furniture, etc., therein contained.

The whole as per inventory, which may be seen in my office.

Seized in the above suit.
Terms—Cash on the spot.

THOMAS L. MAXWELL,
mh1 8 13 Sheriff of the Parish of Orleans.

C. E. Girardey & Co. vs. T. A. Keller.

FIFTH DISTRICT COURT FOR THE PARish of Orleans, No. 1166.—By virtue of a writ of fieri facias to me directed by the Honorable the Fifth District Court for the parish of Orleans, in the above entitled cause, and pursuant to an agreement entered into between the parties interested therein, I will proceed to sell at public auction, on THURSDAY, March 3, 1870, at half-past ten o'clock A. M., on the premises No. 20 Royal street, between Canal and Customhouse streets, in the Second District of this city—

A lot of JEWELRY and one IRON SAFE.

Seized in the above suit.
Terms—Cash on the spot.

THOMAS L. MAXWELL,
mh1 3 Sheriff of the Parish of Orleans.

John A. Healy, George W. Roper, subrogated, vs. P. S. Nugent.

FIFTH DISTRICT COURT FOR THE PARish of Orleans, No. 18,181.—By virtue of a writ of fieri facias to me directed by the Honorable the Fifth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, on SATURDAY, March 12, 1870, at five o'clock P. M., at No. 61 Delord street, in the First District of this city—

IMPLEMENTS, PAVING TOOLS, ROPE, Lumber and other movable property, as per inventory which may be seen in my office.

One undivided half thereof belongs to the defendant, and one undivided half to plaintiff, who consents to the sale.

Seized in the above suit.
Terms—Cash on the spot.

THOMAS L. MAXWELL,
mh1 8 12 Sheriff of the Parish of Orleans.

Jean Muic vs. Frederick Stumpf.

FIFTH DISTRICT COURT FOR THE PARISH of Orleans, No. 1404.—By virtue of a writ of seizure and sale to me directed by the Honorable the Fifth District Court for the parish of 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 2, 1870, at twelve o'clock M., the following described property, to-wit—

FIVE CERTAIN LOTS OF GROUND, with the buildings and improvements thereon, rights, ways, servitudes, privileges and advantages thereunto belonging, or in any wise appertaining, situated in the Fourth District of this city, in the square bounded by Josephine, St. Andrew, Benton, or Franklin, and White streets, designated by the numbers twelve, thirteen, fourteen, fifteen and sixteen, on a sketch of said square drawn by L. Reizenstein, engineer, dated February 7, 1867, annexed to an act passed in the office of E. Barnett, notary public in this city, on the eighth day of March, 1867, which lots measure as follows, to wit:

Lot number twelve, thirty feet front on Franklin street by a depth of one hundred and thirty-seven feet two inches and two lines, between parallel lines.

Lot number Thirteen, thirty feet front on Franklin street, thirty feet five inches and six lines front on the line of Gormley's reserve, parallel to St. Andrew street, thirty feet five inches three and a half lines on the line of lot number twelve, and thirty-one feet four inches and five lines on the line of lot number fourteen.

Lot number fourteen, thirty feet five inches and six lines front on the line of Gormley's reserve, thirty-one feet four inches and five lines on the line of lot number thirteen, thirty feet five inches three and a half lines on the line of lot number twelve and thirty two feet nine inches and two lines on the line of lot number fifteen.

Lot number fifteen thirty feet five inches and six lines front on the line of Gormley's reserve, thirty-two feet nine inches and two lines on the line of lot number fourteen, thirty feet five inches and three and a half lines on the line of lot number twelve, and thirty-four feet and seven lines on the line of lot number sixteen.

And lot number sixteen thirty feet five inches six lines front on the line of Gormley's reserve, thirty-four feet one inch seven lines on the line of lot number fifteen, thirty feet five inches three and a half lines on the line of lot number twelve, and thirty-five feet six inches and four lines on the line of lot number sixteen.

Being the same property acquired by defendant by purchase, from P. J. McGuire, per act passed before Edward Barnett, notary public in this city, dated August 19, 1867.

Seized in the above suit.
Terms—Cash on the spot.

THOMAS L. MAXWELL,
mh1 15 ap2 Sheriff of the Parish of Orleans.

E. Kenney & Co. vs. M. Marx.

SIXTH DISTRICT COURT FOR THE PARish of Orleans, No. 1127.—By virtue of a writ of fieri facias to me directed by the Honorable the Sixth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public action, on SATURDAY, March 12, 1870, at ten o'clock A. M., at my warehouse, No. 74 St. Ann street, between Royal and Bourbon, Second District—

THE CONTENT AND FIXTURES OF A TOBACCO STORE, etc., taken from store Nos. 28 and 36 Tchoupitoulas street, as per inventory, which may be seen in my office.

Seized in the above suit.
Terms—Cash on the spot.

THOMAS L. MAXWELL,
mh1 8 12 Sheriff of the Parish of Orleans.

A. Elmer Bader & Co., Samuel Smith & Co., subrogated, vs. Amanda Andry.

FIFTH DISTRICT COURT FOR THE parish of Orleans, No. 396.—By virtue of a writ of seizure and sale to me directed by the Honorable the Fifth District Court for the parish of 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 2, 1870, at twelve o'clock M., the following described property, to wit—

A CERTAIN LOT OF GROUND, situated in the Second District of this city, in the square comprised between Royal, Hospital, Conde or Chartres and Ursulines streets, measuring twenty-eight feet front on Hospital street, upon a depth of seventy-four feet four inches; together with all the buildings, constructions, appurtenances and dependences on the same, and the rights and privileges thereunto belonging, without any exception or reservation, which said property was acquired by the defendant herein from the heirs of Madame Lalaurie (Blanque) as per act passed before A. Mazureau, notary public in this city, on the nineteenth day of March, 1863.

The buildings and improvements comprise a very desirable two-story brick dwelling house, slate roofed, No. 60 Hospital street, and a two-story brick kitchen, slate roofed, appurtenances, yard paved with brick, waterworks, etc.

Seized in the above suit.
Terms—Cash on the spot.

THOMAS L. MAXWELL,
mh1 16 ap2 Sheriff of the Parish of Orleans.

St. Leon Destez vs. H. Gilly, Jr., & Co.

SEVENTH DISTRICT COURT FOR THE PARish of Orleans, No. 2665.—By virtue of a writ of fieri facias to me directed by the Honorable the Seventh District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, on WEDNESDAY, March 2, 1870, at half-past ten o'clock A. M., at my warehouse, No. 74 St. Ann street, between Royal and Bourbon streets, in the Second District of this city—

The CONTENTS of a Dry Goods and Variety Store, taken from the premises corner of Royal and Dumaine streets, as per inventory which may be seen in my office.

Seized in the above suit.
Terms—Cash on the spot.

THOMAS L. MAXWELL,
fe18 25 mh2 Sheriff of the Parish of Orleans.

Thomas McKnight vs. F. C. Mahan—F. C. Mahan vs. Thomas McKnight, Consolidated.

SEVENTH DISTRICT COURT FOR THE PARish of Orleans, Nos. 2771 and 2772.—By virtue of and in obedience to an order of sale rendered March 1, 1870, to me directed by the Honorable the Seventh District Court for the parish of Orleans, in the above entitled causes, I will proceed to sell at public auction, on FRIDAY, March 4, 1870, at twelve o'clock M., at the Eclipse Stables, Baronne street, between Union and Perdido streets, in the First District of this city—

THIRTY MULES, Two Horses, One Pony, Fifty Bales Hay, more or less, One Stable Cart, One Double Buggy, One Feed Cutter, Two Saddles and Bridles, One Lot Old Harness, Two Bales of Straw, Ten Bags Oats, more or less, and one Lot of Feed.

Terms—Cash on the spot.

THOMAS L. MAXWELL,
mh2 3 4 Sheriff of the Parish of Orleans.

M. Scooler vs. F. W. Jones.

SIXTH DISTRICT COURT FOR THE PARISH of Orleans, No. 766.—By virtue of a writ of fieri facias to me directed by the Honorable the Sixth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, on MONDAY, March 7, 1870, at five o'clock P. M., at my warehouse No. 74 St. Ann street, between Royal and Bourbon streets, in the Second District of this city—

A lot of HOUSEHOLD FURNITURE and movable effects, as per inventory which may be seen in my office.

Seized in the above suit.
Terms—Cash on the spot.

THOMAS L. MAXWELL,
fe24 mh1 6 Sheriff of the Parish of Orleans.

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