LAWS OF THE STATE OF LOUISIANA

[PUBLISHED BY AUTHORITY.]

No. 103.

AN ACT

To incorporate the Lafourche and Terrebonne Draining and Land Improvement Company, and to define their duties, privileges, powers and responsibilities.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That Frederick Marie, Alexander Lerette, S. Minor, Frank Verret, J. Breete, A. Minuet, James H. Belden, Francis Sternberg, Oscar Crosier, Jules Gadry, Edmund Bartlett, and their associates and their successors are hereby created and formed into a body politic and corporate, in deed and in law, by the name and title of The Lafourche and Terrebonne Draining and Land Improvement Company, and by that name shall have succession for and during the period of twenty five years, from and after the date of the passage of this act, and the said company shall be able to sue and be sued, provided that all citations to be served upon the President of the company; shall have a common seal, and enact such by-laws as the Board of Directors may deem proper for the government of the company, not inconsistent with the constitution and laws of this State, or the constitution and laws of the United States; appoint their officers and agents, and fix the compensation and terms of office, and do such acts as are necessary for carrying into effect the provisions of this act, and the domicil of the company shall be at Houma, parish of Terrebonne, State of Louisiana.

SEC. 2. Be it further enacted, etc., That said company shall have power, and are hereby authorized to clear, cut and dredge the Bayou Terrebonne, Little Callou, Bayou Blake and Bayou Bleu, and keep them in good navigable condition as far as practicable, and they shall have power to make and control all necessary tenements on the banks of said bayous that they may deem proper; shall have and use the banks of said bayous for fifty feet on each side for the protection of the interests of the company, and it shall not be lawful for any person or persons, corporation or corporations, to hinder, obstruct, impede, or in any manner interfere with the company incorporated under this act, in the prosecution and completion of the cleaning out and making navigable the said Bayous Terrebonne, Little Callou, Black and Bayou Bleu, or in any manner obstruct or impede the navigation of said bayous: any person or persons, corporation or corporations, violating the provisions of this section, shall forfeit and pay to said company five times the amount of damages sustained by the said company, and costs of suit, to be recovered before any court of competent jurisdiction.

SEC. 3. Be it further enacted, etc., That the capital stock of this company shall be five hundred thousand dollars, which may be increased at any time, at the will of the directors, to any amount not exceeding one million of dollars. Said capital stock shall be divided into shares of five dollars each, and shall be transferable upon the company's books in such a manner as its by-laws may direct. The affairs of this company shall be managed by a Board of Directors, a majority of whom shall constitute a quorum for the transaction of business. The persons named in the first section of this act shall form the Board of Directors from the passage of this act until the expiration of one year thereafter, and until their successors shall be duly elected. Within thirty days prior to the expiration of said service as directors, notice of not less than ten days shall be given to the stockholders by public advertisement in the newspaper at the company's domicil, to meet at such a time and place as the existing directors may designate; for the purpose of electing persons to form a Board of Directors to take the place of those whose term of service is about to expire. Said election shall be by ballot, and each stockholder shall be entitled to one vote. A plurality of votes cast for a candidate shall decide the election, and as soon as one hundred thousand dollars of the capital stock is subscribed, the company shall be empowered to proceed to avail themselves of the privileges of this act.

SEC. 4. Be it further enacted, etc., That the Board of Directors shall have power to levy a tax of not exceeding one (1) per cent on the taxable property of the parishes of Terrebonne and Lafourche or the corporation Thibodeaux; provided that it first be submitted to a vote of the people of said parishes or incorporated town, and for the amount of taxes so collected by the State Tax Collector, and returned by said collector to the Board of Directors, the Board of Directors shall pay over to the treasurer of said parishes or incorporated town stock of the company equal to the amount of the tax collected.

SEC. 5. Be it further enacted, etc., That so soon as the company herein incorporated shall have made navigable for purpose of commerce the Bayou Terrebonne from a point at or near Bayou Lafourche, in the town of Thibodeaux, and extending toward the Gulf of Mexico from said town a distance of twenty miles, and when said company shall have made the Bayou Black, Little Caillou and Bayou Bleu navigable for purposes of commerce, then the said company shall have the exclusive right to place within said bayous such boats and water craft as they may deem proper and necessary, and shall have the sole and exclusive right to regulate the navigation, to collect toll on all water craft not owned and governed by the company entering said bayous, and to charge and collect freight on all produce either descending or ascending said bayous on the company's boats, which tolls or freight shall not be in excess of rates usually charged in such cases; provided, said company shall have all the rights of this act in and after the commencement of aforesaid work.

SEC. 6. Be it further enacted, etc., That it shall be [the] duty of the company in draining the Bayou Terrebonne, between the towns of Thibodeaux and Houma, to throw or deposit all the earth taken from the bayou on the side used mostly to travel on, and to smoothe and grade the same in such manner as will make a good road on the margin of said bayou of at least fifty feet wide, including side ditches, and of a sufficient night to be at all times above ordinary high water, and to keep open and free from obstructions all necessary drains or ditches crossing said road, and construct good and substantial bridges over them; and the company is furthermore empowered to cover said road with shells, which shall be at least six inches thick and twelve feet wide, or of sufficient width to allow the free passage of carriages; and when the said shell road shall have been completed from Thibodeaux to Terrebonne station, the company shall have the right to establish one toll gate between said points, and to collect toll from all persons in either direction, whether in carriages or on foot, said toll not to exceed in any case the amounts now charged for crossing the bridge at the town of Thibodeaux.

SEC. 7. Be it further enacted, etc., That when the company shall have in the same manner completed a shell road from Terrebonne Station to the town of Houma, they shall have the right to establish one toll gate between the points named, and collect toll from passers by in the manner provided in the preceding section.

SEC. 8. Be it further enacted, etc., That it shall be the duty of the company to allow for the free use of the public the space of fifty feet on either side of said bayous, set aside for the use of the company in the second section of this act, for public highways, except the width necessary for "toe-paths" [tow-paths] on either side, and such space as may be absolutely required to erect buildings upon for the use of the company.

SEC. 9. Be it further enacted, etc., That all laws or parts of laws in conflict with the provisions of this act, be and the same are hereby repealed, and that this act shall take effect from and after its passage.

(Signed) MORTIMER CARR,
Speaker of the House of Representatives.
(Signed) OSCAR J. DUNN,
Lieutenant Governor, and President of the Senate.
A true copy:
GEO. E. BOVEE,
Secretary of State.

NOTE BY THE SECRETARY OF STATE.—The foregoing act having been presented to the Governor of the State of Louisiana for his approval, and not having been returned by him to the House of the General Assembly in which it originated within the time prescribed by the Constitution of the State of Louisiana, has become a law without his approval.

No. 104.

AN ACT

To amend and re-enact sections one and two and to repeal section three of an act entitled "An act to provide Pensions for the Veterans of eighteen hundred and fourteen and eighteen hundred and fifteen, or their Widows, according to the requirements of article one hundred and twenty-four of the Constitution of eighteen hundred and sixty-eight," approved October thirteen, eighteen hundred and sixty-eight, and to create a Commission to ascertain who are the Widows of the deceased Veterans of eighteen hundred and fourteen and eighteen hundred and fifteen, and who are Veterans of those years who have not heretofore been awarded a Pension by law, and providing compensation for said Commission and their Clerks.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That sections one and two of an act entitled "An act to provide pensions for the veterans of eighteen hundred and fourteen and eighteen hundred and fifteen, or their widows, according to the requirements of article one hundred and twenty-four of the constitution of eighteen hundred and sixty-eight," approved October thirteen, eighteen hundred and sixty-eight, be amended and re-enacted so as to read as follows:

That each veteran of the years eighteen hundred and fourteen and eighteen hundred and fifteen, residing in the State of Louisiana, or their widows, shall be entitled to an annual pension of two hundred dollars, payable quarterly out of the State treasury, in accordance with the specified appropriation for that purpose in each year; provided, that no warrants shall be drawn by the Auditor of Public Accounts except as against a specific appropriation made to carry out the provisions of this act by the General Assembly at its session next preceding the drawing of said warrants, and only to the amount of such appropriations.

SEC. 2. Be it further enacted, etc., That any person who has heretofore, by any act of the General Assembly of this State, been awarded a pension previous to the year eighteen hundred and sixty six for services rendered the State or the United States in the years A. D. eighteen hundred and fourteen and A. D. eighteen hundred and fifteen, and known as veterans of those years, shall be entitled to the benefit of this act; and the amount appropriated by this act as a pension for such persons shall be paid on their own warrant, when the signature to such warrant is attested by the certificate of the Clerk of a District Court of the parish in which such pensioner resides, that he saw the pensioner sign the warrant, and he is the person he represents himself to be, which warrant shall be accompanied by the affidavit of the pensioner that he is the person to whom the law has heretofore awarded a pension, which law, by its date and number of the act, shall be referred to in said affidavit.

SEC. 3. Be it further enacted, etc., That section three of said above recited act be, and the same is hereby repealed.

SEC. 4. Be it further enacted, etc., That in order to ascertain who are the surviving widows residing in the State, of deceased veterans of eighteen hundred and fourteen and eighteen hundred and fifteen, and who are the surviving veterans of eighteen hundred and fourteen and eighteen hundred and fifteen, now residing in the State, who by name have not heretofore been awarded a pension by any law of this State, and will not be entitled to the benefit of the second section of this act, that the President of the Senate, Secretary of State and the Speaker of the House of Representatives be and they are hereby appointed commissioners for the purpose of ascertaining who are said widows and surviving veterans, by evidence which shall be submitted to them, which may be documentary or taken down by the commissioners in writing, including, if the commissioners think proper, the affidavit of the applicant. Said commissioners are hereby empowered to administer oaths to all parties and witnesses connected with the business entrusted to them by this act. They are also authorized to allow testimony to be taken under commission, pursuing the same forms which are prescribed for taking testimony before the courts of this State, except the commissioners are to cross the interrogatories and issue the commission, and appoint the commissioner. All evidence taken by the commissioners must be in writing. Said commissioners are required to make their report within the first week of the meeting of the next session of the General Assembly. Said report is required to be printed, and to include all the evidence taken in each case. Said commission shall be entitled to a clerk.

SEC. 5. Be it further enacted, etc., That all persons claiming the benefit of this act, other than those mentioned in the second section hereof, shall be required to present their claims to said commission, within three months after the adjournment of the present session of the General Assembly, in writing, stating the facts and circumstances on which the claim is based, and submitting such documents in support of the same as they may have, and giving the names and residences of their witnesses, reserving to the commission to take any other evidence they may think proper; and said commission is authorized to subpena before them any witnesses they may think proper, and to enforce the attendance thereof, the same as the courts are authorized to do, and to send for persons and papers in furtherance of their investigation, and to do all things that they may think proper in order to enable them to arrive at correct information on the subject of their investigation.

SEC. 6. Be it further enacted, etc., That said commissioners shall be entitled to eight dollars per day during the time they are engaged in the duties required of them by this act—not to exceed one hundred days, to be paid on the warrant of the President of the Senate, out of any moneys in the treasury not otherwise appropriated, and their clerk shall be paid the same compensation now allowed an enrolling clerk in the Senate, to be paid on the warrant of the President of the Senate as above.

SEC. 7. Be it further enacted, etc., That what is intended by the terms veterans of eighteen hundred and fourteen and eighteen hundred and fifteen are those who were in the military service of the State or the United States, and in or near the city of New Orleans, in the month of December, eighteen hundred and fourteen, and January, eighteen hundred and fifteen, and at the time the memorable battle of the eighth of January, eighteen hundred and fifteen, was fought at Chalmette.

SEC. 8. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) MORTIMER CARR,
Speaker of the House of Representatives.
(Signed) OSCAR J. DUNN,
Lieutenant Governor and President of the Senate.
Approved March 16, 1870.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
GEO. E. BOVEE,
Secretary of State.

No. 105.

AN ACT

For the relief of P. J. Kennedy, and to provide for the issue of bonds in payment of indebtedness due him.

WHEREAS, The State of Louisiana did contract with R. J. Kennedy, in the years eighteen hundred and sixty-six and eighteen hundred and sixty-seven, through the Board of Levee Commissioners, for the construction of certain levees, it being stipulated he was to be paid cash for said work; and whereas, the State did not comply with said article of contract, but instead thereof the said Kennedy was tendered State bonds in payment, which he was compelled to receive or nothing, and which bonds he was forced to sell on the market at the then prevailing discount on said securities, thereby netting him a loss of one hundred and thirty-four thousand four hundred and eight dollars and twenty-nine cents ($134,408 29), as shown by his account presented and sworn to by him as correct, and which sum is justly due the said P. J. Kennedy under his contract as aforesaid.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the Governor of the State is hereby authorized and directed to issue the bonds of the State, to be signed by him and countersigned by the Secretary of State, and under the seal of the State, to the amount one hundred and thirty-four thousand dollars, payable in twenty years, and bearing interest at the rate of eight per cent per annum. The said bonds shall be registered in the books of the Auditor and Treasurer. They shall be dated on the first day of January, eighteen hundred and seventy, be made in sums of one thousand dollars, payable to bearer, and shall have interest coupons attached, payable in New Orleans or New York at the option of the holder, semi-annually, and which interest coupons shall be signed or stamped by the Treasurer of the State.

SEC. 2. Be it further enacted, etc., That the bonds herein authorized to be issued shall be transferred by the Governor to the custody of the Auditor of Public Accounts, and he is hereby authorized and directed to deliver the same to P. J. Kennedy, on account of payment of indebtedness due him as aforesaid, and for the balance remaining. He is further authorized and directed to issue to the said Kennedy his warrant on the Treasurer, for the sum of four hundred and eight dollars twenty-nine cents; provided that before delivering said bonds or warrant to the said Kennedy, he shall execute a receipt that the sum represented on the face thereof, is in full payment of all claims he may have against the State growing out of his contract or contracts as aforesaid.

SEC. 3. Be it further enacted, etc., That to provide for the redemption of the bonds issued under the provisions of this act, and the payment of the semi-annual interest due on the same, it shall be the duty of the Auditor and Treasurer, to annually set apart, beginning with the year Anno Domini eighteen hundred and seventy-one, from the moneys in the treasury to the credit of the general fund, a sufficient sum for the first purpose, until the final extinction of said bonds, and every six months, beginning on the first day of July, eighteen hundred and seventy, to set apart from the moneys in the treasury to the credit of the general fund, a sufficient sum to pay the semi annual interest due on said bonds.

SEC. 4. Be it further enacted, etc., That as a further provision for the redemption of said bonds, the moneys specially set apart for that object shall be applied annually to the purchase of said bonds, and it shall be the duty of the Auditor and Treasurer on the first Monday of January of each year, to give public notice, by advertisement for thirty days in one or more newspapers published in the cities of New Orleans and New York, of the amount in the treasury applicable to the redemption of the bonds issued under the provisions of this act, and to invite sealed proposals for the sale of the same, to the State of Louisiana, which sealed proposals shall be opened on the day and hour named in the advertisement, and in the presence of the Governor, or in his absence, the Secretary of the State, the lowest bids then made shall be accepted to the extent of the money in the treasury applicable to the purchase, and the bonds thus purchased shall be defaced and canceled by the officials above named, and their proceedings reported to the General Assembly at its next session; Provided, however, That no bid shall be accepted which demands more that [than] the face of the bond and the interest accrued since the last preceding coupon.

SEC. 5. Be it further enacted, etc., That the sum of two hundred and fifty dollars, or so much thereof as may be necessary, be and the same is hereby appropriated to pay the expense of printing, lithographing or engraving and stamping said bonds as may be decided by the Governor, the same to be executed in the city of New Orleans, and he is further directed to cause a copy of this act to be printed on the face or reverse of said bonds; that said moneys to be paid on his warrant.

SEC. 6. Be it further enacted, etc. That this shall take effect from and after its passage.

(Signed) MORTIMER CARR,
Speaker of the House of Representatives.
(Signed) OSCAR J. DUNN,
Lieutenant Governor and President of the Senate.
A true copy:
GEO. E. BOVEE,
Secretary of State.

NOTE BY THE SECRETARY OF STATE.—The foregoing act having been presented to the Governor of the State of Louisiana for his approval, and not having been returned by him to the House in which it originated, within the time prescribed by the constitution of the State of Louisiana, has become a law without his approval.

No. 106.

AN ACT

For the relief of the Atlantic Male and Female Institute, in the town of Atlanta, parish of Winn, State of Louisiana.

WHEREAS, The Atlanta Male and Female Institute has been incorporated for literary purposes:

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the Treasurer be and he is hereby directed and authorized to pay the sum of five thousand ($5000) dollars, to the treasurer of said board of the Male and Female Institute, in the town of Atlanta, parish of Winn, State of Louisiana, for the completion of said Institute and improvements, out of any money of treasury not otherwise appropriated, upon the warrant of the Auditor of Public Accounts, which he is hereby authorized to issue to said treasurer of the Atlanta Male and Female Institute.

SEC. 2. Be it further enacted, etc., That this Atlanta Male and Female Institute shall be conducted and carried on for literary purposes without regard to race or color.

SEC. 3. Be it further enacted, etc., That the said Atlanta Male and Female Institute shall be considered a part of the public school system, and shall be under the control of the Superintendent of Public Education and the State Board of Education.

SEC. 4. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) MORTIMER CARR,
Speaker of the House of Representatives.
(Signed) OSCAR J. DUNN,
Lieutenant Governor and President of the Senate.
Approved March 16, 1870.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
GEO. E. BOVEE,
Secretary of State.

NOTE BY THE SECRETARY OF STATE.—The foregoing act having been presented to the Governor of the State of Louisiana for his approval, and not having been returned by him to the House of the General Assembly in which it originated within the time prescribed by the constitution of the State of Louisiana, has become a law without his approval.

CORPORATIONS.

AMENDMENT TO CHARTER.

STATE OF LOUISIANA—PARISH OF ORLEANS—CITY OF NEW ORLEANS.

Before me, Andre D. Doriocourt, a notary public duly commissioned and sworn for the parish and city of New Orleans, State of Louisiana, and in presence of the undersigned witnesses, came and appeared, Messrs George W. Dunbar, A Rousset, Richard England, P. Mallard, Robert M. Davis, Joseph David, A. Socola, M. Berwin, all of this city, together with the other persons whose names are hereunto affixed, who declared that they met this day in conformity with a resolution adopted by the Board of Directors of the People's Bank of New Orleans at their meeting held on the sixth of January, 1870, copy whereof, duly certified by the Cashier of said bank, is hereto annexed for reference, in order to amend the Article V., of the charter of said Bank, duly executed by act passed before the undersigned notary, under date of first December last, 1869, this meeting being held after the notices required by the section five of the act entitled "An act to establish a general system of free banking in the State of Louisiana," approved fifteenth March, 1855.

That they, and those they represent, are stockholders of the above named corporation, established under the law above referred to for the number of shares, affixed to their respective names, and they represent over two-thirds of the amount of the capital stock of the said People's Bank of New Orleans.

That they approve the resolution above referred to, which was read at this meeting, and they do vote to ratify the amendment to article V., to increase the capital stock of the said Bank to the sum of two hundred thousand dollars—that is to say, one hundred thousand dollars more than the same is at present; such increase in the stock to be represented by two thousand shares of fifty dollars each, payable as follows: Fifty per cent on the tenth of March, twenty-five per cent on the tenth of June, and twenty five per cent on the tenth of September, 1870.

First in compliance with Article VIII. of the original charter of the said People's Bank of New Orleans, the President and Cashier of the Bank are hereby requested to give sixty days' notice of this increase of the capital of said Bank, in at least two newspapers published in the city of New Orleans, and within such sixty days the original stockholders shall have the privilege of taking additional shares in proportion of the number of shares held by them respectively, and shares not taken at the expiration of said time shall be sold by the Board of Directors at prices less than par, for the benefit of the Bank.

All the other articles of association in the original charter of said Bank to remain good and valid.

Thus done and passed at the city of New Orleans, at the banking-house, located at the corner of Levee and St. Peter streets, on this tenth day of February, A. D. eighteen hundred and seventy, in presence of Messrs. Antoine Doriocourt and Philippe Charbonnet, competent witnesses, who have signed with the parties and me, Notary, after reading.

Original signed:
G. W. Dunbar, P. Mallard,
A. Rousset, Jo. David,
Richard England, R. M. Davis,
A. Socola, M. Berwin,
H. David, and others.
Ant. Doriocourt,
Ph. Charbonnet.

AND. D. DORIOCOURT,
Notary Public.

I do hereby certify the foregoing to be a true copy of the original, which is duly stamped and on record in my office.

In faith whereof I have hereunto set my hand and affixed the impress of my seal of office, at New Orleans, this twenty-third of February, A. D. 1870,
AND. D. DORIOCOURT,
Notary Public.

I, the undersigned, Deputy Recorder of Mortgages for the parish of Orleans, do hereby certify that the aforegoing act has been this day recorded in Society Book No. 7, folio 412.
O. DARCANTEL, Deputy.
New Orleans, February 24, 1870. fe25 law2m

CONSTABLE'S SALES.

John Dawson vs. Vincent Asbury—No. 8779.

BY VIRTUE OF A WRIT OF FIERI FACIAS, to me directed by the Honorable the Second Justice Court for the parish of Orleans, I will proceed to sell at public auction, on MONDAY, March 28 1870, at four o'clock P. M., at No. 146 Orleans street—

THE CONTENTS AND FIXTURES of a Grocery store, seized in the above entitled suit, as per inventory on file in my office.

Terms—Cash on the spot.
mh 18 22 27 J. W. QUINN, Constable.

Daniel Driscoll vs. John Tio.

FOURTH JUSTICE'S COURT, PARISH OF Orleans, No. 4047.—By virtue of a writ of fieri facias, directed to me by the Hon. J. G. Baum, Judge of the Fourth Justice's Court, in and for the parish of Orleans, I will proceed to sell at public auction, on SATURDAY, March 26, 1870, at twelve o'clock M., in front of my office, No. 5 Frenchmen street—

A lot of HOUSEHOLD FURNITURE.
Seized in the above entitled suit.
Terms—Cash on the spot.
mh17 22 26 EUGENE MEILLEUR, Constable.

Mrs. A. Gorman vs. J. B. Kennedy and Mrs. Smith—No. 4460.

BY VIRTUE OF A WRIT OF FIERI FACIAS to me directed by the Honorable G. W. Sadler, First Justice of the Peace, I shall proceed to sell at public auction, on SATURDAY, March 26, 1870, at my warehouse, No. 191 Tchoupitoulas street—

One lot of HOUSEHOLD FURNITURE.
Seized in the above suit.
Terms—Cash in United States Treasury notes.
mh16 20 23 A. A. PLATTSMIER, Constable.

Fritz Statz vs. Justin Lessage—No. 4375.

BY VIRTUE OF A WRIT OF FIERI FACIAS to me directed by the Honorable G. W. Sadler, First Justice of the Peace, I shall proceed to sell at public auction at my warehouse, No. 191 Tchoupitoulas street, on FRIDAY, April 1, 1870, at twelve o'clock M—

One lot of HOUSEHOLD FURNITURE.
Seized in the above suit.
Terms—Cash in United States treasury notes.
mh22 27 apl A. A. PLATTSMIER, Constable.

H. A. Lyons vs. E. B. Fuqua—Nos. 8680 and 8681.

BY VIRTUE OF TWO WRITS OF FIERI FACIAS to me directed by the Honorable the Second Justice's Court for the parish of Orleans, I will proceed to sell at public auction, on SATURDAY, March 26, 1870, at twelve o'clock M., at my office, corner St. Charles street and Commercial place,

One lot of HOUSEHOLD FURNITURE.
Seized in the above entitled suit.
Terms—Cash.
mh16 22 26 J. W. QUINN, Constable.

SHERIFF'S SALES.

Ameline Letorey vs. Alfred Maire.

FOURTH DISTRICT COURT FOR THE PARish of Orleans, No. 23,875.—By virtue of a writ of seizure and sale to me directed by the Honorable the Fourth 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 TUESDAY, April 26, 1870, at twelve o'clock M., the following described property, to wit—

1. A CERTAIN LOT OF GROUND, situated in the Second District of this city, designated by the number seven, of square number sixty-four, bounded by Canal, Frieur, Customhouse and Johnson streets, on a plan made by J. Fille, late surveyor, dated May 1, 1840, deposited in the office of D. L. McCay, late a notary public in this city; said lot measuring, American measure, twenty-seven feet six inches front on Customhouse street, by one hundred and six feet eight inches deep, between parallel lines, together with the buildings and improvements thereon, and appurtenances thereof.

2. A CERTAIN LOT OF GROUND, situated in the third District of this city, designated by the number thirteen, of square number sixty-seven, is bounded by Roman, Frieur, Columbus and Laharpe streets, on a particular plan drawn by Louis Surgi, surveyor, on the twenty-second June, 1844, deposited in the office of A. Ducatel, notary public in this city. Said lot measures, American measure, thirty two feet five inches and six and a half lines front on Columbus street by one hundred and fifty-seven feet eleven inches and six lines in depth, between parallel lines, together with all the buildings and improvements thereon, and rights, ways, privileges and appurtenances thereof. Said lots were acquired by the defendant from J. E. Blanchet, per act passed before Eusebe Rouny, notary public in this city, on the fifth day of December, 1868.

Seized in the above suit
Terms—Cash on the spot.
THOMAS L. MAXWELL,
mh25 ap6 6 Sheriff of the Parish of Orleans.

Solomon Rosenthal vs. James Bankhead

SEVENTH DISTRICT COURT FOR THE PARish of Orleans, No. 2169.—By virtue of a writ of seizure and sale to me directed by the Honorable the Seventh 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, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, March 26, 1870, at twelve o'clock M., the following described property, to wit—

A CERTAIN LOT OF GROUND, together with the buildings and improvements thereon, consisting of a three-story brick house, No. 16 Carondelet street, and all appurtenances thereunto belonging, situated in the faubourg St. Mary, First District of this city, designated as lot No 4, in the square bounded by Carondelet, Canal, St. Charles and Common streets, on a plan annexed to an act passed before Felix Grima, notary public, in this city, on the twelfth of February, 1841.

Which said lot measures twenty feet two inches front on Carondelet street, eighteen feet three inches in width in the rear, by one hundred feet in depth, and has the use of an alley in the rear, common to it and other lots bordering thereon.

Being the same property purchased by the defendant from George MacGregor, per act executed before Theodore Garod, notary public in this city, dated the seventh of May, 1866.

Seized in the above suit.
Terms—Cash on the spot.
THOMAS L. MAXWELL,
mh21 25 26 Sheriff of the Parish of Orleans.

James Pollock, for the use etc., vs. Andrew J. Parmele—No 1169.

FIFTH DISTRICT COURT FOR THE PARish of Orleans, No. 1169.—By virtue of and in obedience to an order of sale, rendered March 7, 1870, and 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 28, 1870, at five o'clock P. M.—

THE CONTENTS OF A DISTILLERY, situated at the corner of Calliope and Clara streets, in the First District of this city, as per inventory, which may be seen in my office.

Seized in the above suit.
Terms—Cash on the spot.
THOMAS L. MAXWELL,
mh15 21 27 Sheriff of the Parish of Orleans.

SHERIFF'S SALES.

Thomas Hassam vs. J. E. Darsee.

FIFTH DISTRICT COURT FOR THE PARish of Orleans, No. 1401.—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, March 26, 1870, at twelve o'clock M., the following described property, to wit—

FOUR CERTAIN LOTS OF GROUND, together with the buildings and improvements thereon, designated by the numbers three, four, five and six, in square No. 47, in the Third District of this city, which square is bounded by Claiborne, Annette and St. John the Baptist or Robertson streets and St. Bernard avenue. Lots three and five measure each thirty-two feet front on St. John the Baptist or Robertson street, by ninety-six feet one inch and six lines in depth. Lots numbers four and six measure each thirty-one feet eleven inches and two lines front on St. John the Baptist or Robertson street, by ninety six feet one inch and six lines in depth. The whole between parallel lines, and according to a plan of J. Pilie, late Surveyor, dated April 29, 1838, deposited as plan No. 65, in a book of plans of A. Chiapella, formerly a notary public in this city. Said lots were acquired by the defendant from plaintiff by act passed before A. F. Beauvais, notary public, in this city, on January 26, 1866.

Seized in the above suit.
Terms—Cash on the spot.
THOMAS L. MAXWELL,
mh10 25 ap10 Sheriff of the Parish of Orleans.

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

FIFTH DISTRICT COURT FOR THE parish of Orleans, No. 398.—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 Calanis (Blanque) by act passed before A. Mazareau, notary public in this city, on the nineteenth day of March, 1862.

The buildings and improvements comprise a very desirable two-story brick dwelling house, slate roofed, on Hospital street, with 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,
mh16 ap2 Sheriff of the Parish of Orleans.

Louis Amedee Fenderes vs. Charles Lewis.

FIFTH DISTRICT COURT FOR THE PARish of Orleans, No. 1029.—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, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on MONDAY, April 11, 1870, at twelve o'clock M., the following described property, to-wit—

TWO LOTS OF GROUND, situated in the Third district of this city, designated as numbers three and four in square bounded by Esplanade, Kerlerec, Johnson and Prieur streets, measuring twenty-nine feet, nine inches and three lines front on Esplanade street, each by one hundred and twenty feet in depth, between parallel lines, as per plan of Pa-Ponilly, assistant city surveyor, dated twentieth October, 1866, and deposited in the office of W. J. Castell, notary public in this city.

Being the same property acquired by defendant by purchase from Thomy Lafon, per act passed before A. E. Blanvenu, notary public, in this city dated ninth February, 1868.

Seized in the above suit.
Terms—Cash on the spot.
THOMAS L. MAXWELL,
mh10 25 ap10 Sheriff of the Parish of Orleans.

Tomy Lafon vs. John Kelly.

FOURTH DISTRICT COURT FOR THE PARish of Orleans, No. 23,782.—By virtue of a writ of seizure of sale to me directed by the Honorable the Fourth 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 MONDAY, April 11, 1870, at twelve o'clock M., the following described property to wit—

TWO CERTAIN LOTS OR PARCELS OF GROUND, situated, lying and being in the First District of this city, in the square bounded by Felicity, Terpsichore, Howard and Liberty streets, designated by the numbers eleven and twelve on a certain plan drawn by L. H. Pile, late city surveyor, dated tenth May, 1860, deposited in the office of C. E. Ferdier, late a notary public in this city, as plan number forty-eight of book of plans one. Said lot, number eleven, measures thirty three feet eight inches front on Felicity street, thirty-three feet eight inches on the side of lot number ten, and nine feet one inch and four lines on the side of lot number twelve.

And lot number twelve measures thirty-three feet eight inches front on Felicity street, thirty three feet eight inches and three lines in the rear, by a depth of nine feet one inch and four lines on the side of lot number eleven, and nine feet three inches and one line on the side of lot number thirteen.

Together with all the rights, ways, advantages thereunto belonging, or in any wise appertaining.

Being the same property acquired by defendant by purchase from Daniel Cox, per act passed before W. J. Castell, Notary Public, in this city, on the seventh of October, 1866.

Seized in the above suit.

Terms—The purchaser to assume the payment of a promissory note secured by mortgage on said property, for the sum of three hundred dollars ($300), drawn by defendant to his own order, and by him endorsed, dated the seventh day of October, 1866, payable on the tenth day of October, 1870, with eight per cent interest per annum from date till maturity; and the balance of the price of adjudication cash on the spot.

THOMAS L. MAXWELL,
mh10 25 ap 10 Sheriff of the Parish of Orleans.

Uriah J. Rosenthal vs. Barbara Hoffman.

SIXTH DISTRICT COURT FOR THE PARish of Orleans, No. 1222.—By virtue of a writ of seizure and sale 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, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, April 23, 1870, at 12 o'clock M., the following described property, to wit—

A LOT OF GROUND, together with the buildings and improvements thereon, situated in the First District of this city, and designated by the number twenty-three, in square comprised within Gravier, Common, St. Jane and Bolivar streets, on a plan by Kneil and Weiner, surveyors, dated seventeenth March, 1848, and deposited in the office of James Graham, notary public in this city.

Said lot forming the corner of Gravier and St. Jane streets, and measuring thirty two feet seven inches front on Gravier street, by one hundred and ten feet eight inches and four lines in depth and front on St. Jane street, between parallel lines, American measure.

Which property was purchased by the late Christian Hoffman from Charles J. F. Baquie, per act executed on the seventh of April, 1838, before H. P. Caire, then a notary public in this city. It belongs now to his widow, Barbara Hoffman, in her capacity of his universal legatee, and recognized as such by an order of the Second District Court of New Orleans, dated twenty-sixth January, 1866, No. 22,699 on the docket of said court, putting her in possession of all the property left by deceased, who died without issue.

Seized in the above suit.
Terms—Cash on the spot.
THOMAS L. MAXWELL,
mh22 ap6 23 Sheriff of the Parish of Orleans.

S. Johnson vs. J. R. Conway.

SIXTH DISTRICT COURT FOR THE parish of Orleans, No. 862.—By virtue of a writ of fieri facias, in favor of Thomas Murray, subrogated, vs. the City of New Orleans, 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, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on TUESDAY, April 12, 1870, at twelve o'clock M., the following described property, to wit—

1. THE LOT OF GROUND situate in square bounded by Poydras, Baronne, Perdido and Carrol streets, measuring one hundred and fifty feet six inches on Baronne street, fifty-seven feet five inches on Perdido street, and one hundred and fifty feet four and three-eighths inches on Carroll street, and fifty-seven feet five inches on the line nearest Poydras street, subject to the usufruct granted to Christian Schneider, Louis Schneider and Hermann Zuberbier, by act passed before William J. Cast II, notary public in this city, on the eighteenth of May, 1867; and also all of the rights of the city to purchase, at the expiration of the charter of the New Orleans and Carrollton Railroad Company, to wit: On the ninth of February, 1883, the building erected on said lot, at a value to be fixed by four appraisers, two to be named by each party, who, in case of disagreement, shall appoint an umpire.

2. THE LOT OF GROUND situated in the square bounded by Baronne, Perdido, Poydras and Penn streets, designated by the letter A on a plan of Pilie & Murray, surveyors, dated September 11, 1869 and annexed to an act of lease passed between the city of New Orleans and Kern & Fellman, before W. J. Castell, notary public, in this city, on the said eleventh day of September, 1869.

Said lot measures twenty feet on Baronne street, with the same front on Penn street; seventy feet three inches on the line toward Perdido street, and seventy feet eight inches on the line toward Poydras street, subject to the rights of Kern & Fellman, for the term of years, from the aforesaid eleventh September, 1869, at the rate of $250 per annum, and on the further condition that the buildings and improvements erected by said Kern & Fellman shall revert to the city at the expiration of said lease, and all of the rights and interest of the city to the conditions of said lease.

Seized in the above suit.
Terms—Cash on the spot.
THOMAS L. MAXWELL,
mh11 26 ap12 Sheriff of the Parish of Orleans.

**Widow H. Gimbel vs. Louis Gimbel.