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LOUISIANA SECOND DISTRICT ELECTION.

Speech of Hon. L. A. Sheldon.

We publish the *Congressional Globe* report of the speech of Hon. L. A. Sheldon, of Louisiana, in the House of Representatives, April 12, in the election contest of Hunt vs. Sheldon:

Mr. Stevenson: I yield then, to the gentleman from Louisiana, [Mr. Sheldon,] twenty-five minutes, to be divided as he wishes.

Mr. Sheldon, of Louisiana: Mr. Speaker, I do not know that I shall want twenty-five minutes. I have considered for some time the propriety of my speaking on this question; but I deem it my duty to state to the House the precise condition of the question at issue, and to correct, also, some statements of the gentleman from Indiana, [Mr. Kerr,] which are entirely false, whether uttered on his own responsibility or not.

Now, sir, we have heard a great deal about the respectability of the Democratic party of the South. We have heard that the Republican party is made up of carpet-baggers, scallawags, and "niggers." The gentleman has brought that into this case. I have no detraction to utter against the people of Louisiana as a whole. I frankly admit the majority of the Republican party in that State are colored men, men who were at one time slaves, and that, too, at a very recent period. I admit that the men who are in that State, and who could not be gulled by the leaders of the Southern Confederacy, are to-day most generally attached to the Republican party. I admit that the men who have gone there from the North, and are called carpet-baggers, are Republicans as a rule, with some few exceptions, and I do not envy the gentlemen who constitute the exceptions their position. But I do say further, that the property of that State is rapidly coming into the hands of these carpet-baggers, scallawags and negroes. The true definition there of the expression, "carpet-bagger," was given by a friend of mine, when he said that it means a man who has no mortgage on his house and lot. I say further that much of the talent of that city resides in the Republican party. The leaders of the bar of New Orleans are Republicans. I may mention such names as William H. Hunt, P. H. Morgan, Thomas J. Durant and E. C. Billings, and I could go on naming many other men of that class who exercise the greatest influence in the State. I could also go on and name the men who are the large merchants there, who do the commercial business of the city, and who are carpet-baggers and Republicans. It is true that they have been subjected to social ostracism; that they have been oppressed in their business; that they have been overridden by the violence of Democratic sentiment, and that attempts have been made to crush them. But their assailants have found this utterly impossible.

The gentleman from Indiana has represented the witnesses on his side of the case as being men of respectability. I do not propose to enter any denial or to make any attack upon the character of witnesses. But he has said that in the main our witnesses are not respectable; and he has instanced one man. It is a pleasure to me to defend that man on this floor. I challenge the gentleman from Indiana or any one who supplies him with information, to lay a single crime to the charge of William Baker. He is to-day the deputy collector of the port of New Orleans, and I challenge the gentleman or any of his informers to trump up any charge against him except that he has been true to the government while the war was going on. I will state what the gentleman can say of William Baker, and he can say no more. He was the appointee of Philip H. Sheridan for Street Commissioner of New Orleans. At the time he was running for that office on the Republican ticket, a man whom I do not know, got up charges against him of peculations or something of that kind, in office, and that Democratic trickster, Winfield Scott Hancock, ordered him to be tried before the City Council, an authority which has no jurisdiction over crimes. And when they had made their best case against William Baker, he exercised supreme military authority and prevented him from producing any defense before that tribunal. They then brought him before the District Court, presided over by a Democratic judge. But a Democratic jury would not find a bill against him; a Democratic District Attorney would not prosecute the case against him. That is the head and front of William Baker's offending. And the facts establish that the Democratic successor of Mr. Baker, as Street Commissioner, expended more money in one municipal district of New Orleans than Mr. Baker expended within a corresponding period in the whole city, and he did not keep that district as clean as Baker had kept the whole city for much less money. I say it is an outrage to assail William Baker thus before the country.

And the gentleman has selected the Governor as another object of attack. The Governor and myself have not always agreed, and no man knows this better than he does. But, in justice to the Governor—and the country ought to know it—I would say that no man has ever been placed in a position of greater difficulty in this country than that which is filled by Henry C. Warmoth. I ask the attention of the House to this one circumstance. There is in New Orleans the *elite* of the lost Confederacy. It is the great city of the South. And it happens to be the fact there, as elsewhere through the country that the worst elements of the Know Nothing party went over to the Democrats. Another fact to be borne in mind is that generally the federal office-holders were Andrew Johnson men. The military commanders were, every one of them, our enemies, our outspoken enemies, men that worked against us in every possible way, in the grossest violation of their duty. Henry C. Warmoth, found himself in that situation, with fifteen thousand armed Knights of the White Camelia in the city of New Orleans, determined to overthrow the government of the State. Is it an easy thing for a man to accomplish what he has done and maintain himself in such a situation? Ah, but they say that people speak ill of him: You may all have seen that within the last six weeks a committee of distinguished Democrats went to Governor Warmoth and protested against the frauds of the Legislature. The Governor told them they must stop the bank presidents from bribing the Legislature.

Mr. Speaker, were you or any other man upon this floor, who is not a Democrat in the city of New Orleans you might be as pure as the Saviour of mankind, and yet you would be denounced as a thief and a vagabond if you believed in the supremacy of the Government of the United States and in the equality of all men before the law. That is the trouble. I have been assailed myself, but to a very slight extent, and I do not, therefore, brag much of my Republicanism, from the fact that I have not been more assailed.

The gentleman has read from Mr. Rodriguez. Now, Mr. Rodriguez and that crowd do not happen to live in my district. I do not know one of them by sight, and I do not think that they know me. I would like to refer to the testimony of Mr. Macon, chairman of the Democratic Central Committee, and of Mr. Bacon, editor of the *Picayune*, in which they speak of me in very complimentary terms, and as I desire to be courteous I will say that they are high-toned gentlemen; but I must get down to some of the facts of the case, because I do not wish that any body shall be deceived.

And, first, the gentleman from Indiana says that the Knights of the White Camelia were not a political organization. Well, now, upon that I take issue. The testimony is that they were, and I will do almost anything the gentleman may ask of me if he will show me one among the members of that order who was not a Democrat. The chairman of the Democratic Central Committee swears that he was a member of that organization. General Steadman was a member of it, although he says that he forgot it as soon as he could, as he did not like it very well, but he was a member of the organization, and if any gentlemen want to know the political character of the organization I commend to them the perusal of these two volumes of testimony.

But the gentleman says there were not ten men killed in the city of New Orleans. Mr. Speaker, I want to call attention to some testimony on that point. One witness, Charles J. Fox, swears that he saw ten or twelve dead persons, killed by the mob, between Julia street and Delord street. Another witness, John P. Keating, swears he saw nine killed in another place, and Rev. J. W. Healy, five dead men in the station house. General Hatch swears to five in still another place. And you may go on and sift this testimony and you will find that the statement of the gentleman from Ohio Mr. Stevenson, is more than borne out as to the atrocities perpetrated against human life. General Hatch says in his report that two hundred and eighty-nine men were killed in Orleans and the adjoining parishes in the months of September and October, and a still greater number were wounded and maltreated.

But, Mr. Speaker, I must pass on, as I want to present to the House this precise question. The gentleman says that seven per cent of the registered voters stay away from elections on all occasions. It so happens that in the parishes of St. James and Lafourche and St. John and St. Charles and Terrebonne, and that portion of Jefferson parish outside of Jefferson City and the village of Gretna, more than ninety-five per cent of the registered voters voted, and in the parish of St. Charles more than ninety-eight per cent. Wherever we were permitted to vote we voted our full strength.

But the gentleman says that we were "cowardly." I know the gentleman meant nothing personal so far as I am concerned. But there we were in the presence of fifteen thousand armed men, whose arms were purchased with money forced from the bankers and merchants, in many cases against their will, and we were without arms and the military authorities against us. I deny that it was cowardice. The gentleman from Indiana or anybody else would have acted in the same way. It would have been wrong for us to have asked the people to go to the polls to be slaughtered. Now, whether they would have been slaughtered or not I can not say. We can can only judge of the future by the past. The city of New Orleans had been in a condition of disorder and mob for eight days; every Republican club-room in the city had been entered and plundered. The houses of many Republicans had been sacked and the inmates killed and wounded. At least a hundred men in that city had been killed, and yet they say we should have gone to the polls, right on the eve of all those disorders, and still further gratified this appetite for blood. Is that the gentleman's proposition?

The gentleman says that because the day of election was peaceable therefore the election is to be held as valid. Sir, an epidemic sometimes ceases for want of material to operate upon, and it was precisely so in this case.

Let me illustrate the gentleman's proposition. Suppose that he and I are aspirants in the prize ring. We have an engagement for to-morrow, with a wager of one thousand dollars on a side, to determine the question of championship. To-day I fall afoul of him with bludgeon and knife, and wound him and disable him. Then to-morrow morning I go to him and say, "Well, let us have this fight out on the day named in our agreement, and it shall be a fair fight." The gentleman, of course, would accept the proposition, and if he did not come would consider that I had a right to take the money, for that is precisely his proposition.

Now, I claim that not only have we a right to vote, unopposed by violence and murder, but we have a right to vote peaceably, undeterred by fear; and unless we can have that right in this country, then I say that our liberties are gone, that the right of the ballot is gone.

It may be that the infusion of the Know-Nothing element into the Democratic party of New Orleans carried with it the same principles which governed the Know-Nothing party before the war. It is said that, to use their own expression, "they would knock the devil out of the Dutch and Irish a few days before the election, to prevent them from voting." That, at least, was the principle of the Know-Nothing Democrats, and the fact is that a great portion of the Democratic electors were before the war members of the Know-Nothing organization as it then existed.

Now, whether we ought to have voted or not, whether or not there was reasonable cause for fear, ought to be settled, it seems to me, by reference to the opinions of General Rousseau, who was their friend. General Lee has testified differently from what the gentleman from Indiana (Mr. Kerr) read to the House. I say that gentleman did not read all the answer of General Lee in regard to the opinions of General Rousseau. Now, it is a rule of law and of morals that the suppression of the truth is equivalent to the suggestion of falsehood. And I charge the gentleman from Indiana with the suppression of truth in this case. I will read from the book the truth and the whole truth. Here is the answer of General Lee:

"I don't think he (General Rousseau) gave any advice; he did not to me. When I said they would not vote, he took me by the hand and said: 'It is not a thing for me to advise, but I think it is the wisest thing for you to do. You can not achieve anything by voting, any way.'"

There the gentleman from Indiana stopped, though that is but half of the answer. The rest of the answer is as follows:

"And he expressed his gratification that the Republicans would not press their right to vote; that with the assurances he had from the Democrats with whom he had consulted, and that with this thing, he thought that the hour of peril was past, and that he should tide the thing over if the Republicans did not vote."

That is what General Lee swears to; and what has the gentleman to say about the character of General Lee? He was a man distinguished in the military service of the United States; a man who would be regarded in any country as one of character and capacity.

Dr. Southworth and Governor Warmoth swear to the same thing; and I am willing to risk the whole case upon this evidence of what was the opinion of General Rousseau. He had command of two regiments of infantry, one battery of artillery, and one company of cavalry. He also had a revenue cutter moored before the city of New Orleans, which he had sent for in order to keep the peace and protect his headquarters, when his second in command advised him that he would be justified in retiring from New Orleans upon the same principle that a general in the field would be justified in retiring before a superior force.

But it so happens that the gentleman from Indiana [Mr. Kerr] does not at all deny that there was violence. I challenge any one to examine these two volumes of testimony, and find one word of denial of what we allege in regard to the existence of violence there.

This, then, presents the question to which I wish to call the attention of the House. Now, the gentleman, as I have shown, has been guilty of the suppression of the truth. I state further, that he has been guilty of presenting to this House incorrect figures. The registered vote of the Second Congressional District was 39,840. Mr. Hunt claims to have received only 18 341 votes; and when you turn to the Boards of Supervisors you will find that he lacks 7600 of receiving one-half the registered vote. Those returns, I concede, are not altogether correct, because two polls are omitted; but on referring to the returns of the Commissioners of Elections it will be found that Mr. Hunt still lacks 6662 votes of receiving one-half the registered vote.

Now, those are the facts as exhibited in the testimony, the gentleman's figures to the contrary notwithstanding. Why, sir, he has gone so far as to try to take advantage of a little misprint in regard to the parish of Terrebonne, making a difference of about 100 votes.

[Here the hammer fell.]

Mr. Garfield, of Ohio: I hope the time of the gentleman from Louisiana (Mr. Sheldon) will be extended. When others have spoken so much longer than he, I think it would be unjust to limit him to one half hour.

Mr. Stevenson: The previous question has been ordered, and the closing hour is now running. That is the only difficulty in regard to extending anybody's time.

Mr. Garfield, of Ohio: I move that by unanimous consent the time of the gentleman from Louisiana be extended, the additional time not to be counted as a part of the hour.

Mr. Kerr: To that I make no objection if the time allowed to me be extended in the same proportion. I suppose the gentleman would not favor any unfair distribution of the time.

Mr. Garfield, of Ohio: Not at all: but I think the sitting member ought to be allowed more time.

Mr. Stevenson: If the time is to be extended it ought to be understood that a vote is not to be taken to night. Let us have that understanding, and then I shall have no objection to an extension of time.

The Speaker pro tempore (Mr. Loughridge in the chair). How much additional time does the gentleman from Louisiana desire?

Mr. Sheldon, of Louisiana: Five minutes, I think, will be sufficient.

The Speaker pro tempore: If there be no objection the gentleman's time will be extended.

There was no objection.

Mr. Paine: I think it well that, in accordance with the suggestion of the gentleman from Ohio (Mr. Stevenson), we have an understanding as to whether the vote shall be taken to-night or to-morrow morning.

Mr. Stevenson: That is what I want. I have no objection to an extension of time if the vote is not to be taken to-night.

Mr. Allison: I suggest that the vote be taken immediately after the morning hour to-morrow.

Mr. Ferry: I would like to call the attention of the gentleman from Ohio to the fact that it was announced in the early part of this discussion that the vote would not be taken till to-morrow morning, and the vacant seats around me are an evidence that many members have absented themselves upon that understanding. To take a vote upon the question to-night would, I think, be unfair to those gentlemen who are now absent, and who wish to put their votes upon the record.

Mr. Allison: I hope it may be understood that the vote shall be taken to-morrow, immediately after the morning hour.

The Speaker pro tempore: If there be no objection, it will be the understanding that the vote upon this question shall be taken immediately after the morning hour to-morrow.

Mr. Garfield, of Ohio: If there be a morning hour.

Mr. Stevenson: Or at the expiration of the hour regularly assigned as the morning hour.

The Speaker pro tempore: The Chair hears no objection to that arrangement; and it will be so ordered. The gentleman from Louisiana will proceed with his remarks.

Mr. Niblack: I have listened to the gentleman from Louisiana (Mr. Sheldon) with a great deal of pleasure; but as he is about to resume his remarks I would like to call his attention to a single point. Conceding the truth of all that he charges, those facts, in my view, clearly invalidate the whole election.

Mr. Sheldon, of Louisiana: That is your opinion.

Mr. Niblack: That is what I want to see about. The election, then, is invalidated, as neither one can claim a legal majority.

Mr. Sheldon, of Louisiana: Now, Mr. Speaker, the Second Congressional District of the State of Louisiana comprises the parishes of Jefferson, St. Charles, St. John the Baptist, St. James, Lafourche and Terrebonne, and five wards of the city of New Orleans. Rejecting the votes cast in the five wards of the city of New Orleans, although thirty-two hundred men in the parish of Jefferson were prevented from voting by the Democracy, still the votes cast gave me 1783 majority. So, then, you can do with Jefferson parish what you please; it does not affect the result.

The city of New Orleans is conceded to have been in a state of violence such as I have described. What is to be done with that? I admit if violence is done in the whole of a district the election is a nullity in toto. I assert that is good law, which must be applied in this case. But if the violence is only partial or local, then the election shall be a nullity *pro tanto*. That is the correct doctrine established in this country.

And let me say, Mr. Speaker, that this question of violence in elections is a matter of recent growth in this country. No case arose beyond fifteen years ago. I believe the first was from the city of Baltimore. I say further, sir, if men deny by violence the rights of others, it is but just to say to them, "You shall be denied yourselves what you have denied to others." That is a just rule. And I assert further that the peaceable people of five parishes, composing that district, shall not be put to the trouble and expense of voting over again, because they happen to be yoke-fellows with the city of New Orleans. Unless such a principle prevails, and I desire the thoughtful attention of every member of this House—if you adopt the other principle, you allow a few bad men in every locality to control an election so as to suit themselves, or at least to defeat the wishes of the people. And no man can escape the conclusion I draw. It is just in law and just in morals. It is such a precedent as this country ought to establish.

I rest the whole legal question upon what I have said. It is all that can be said on this particular point. Why did not all the registered voters cast their ballots if they or any of them desired to vote the Democratic ticket? It would have been safe and popular to have done so. Grant and Colfax were popular candidates, and commanded the enthusiastic support of all the Republicans of Louisiana, and they would have been glad to go to the polls and vote for them. Let it be remembered, however, that the influence used to prevent men from voting, such as violence and outrage, will often induce weak men to vote on the side of violence. This is all I desire to say.

Mr. Randall: Will the gentleman allow me to ask him a question?

Mr. Sheldon, of Louisiana: Certainly.

Mr. Randall: Throwing out the votes in this district in reference to which informality is claimed, does not the record show that Mr. Hunt has more than one half of all the legally registered votes?

Mr. Sheldon, of Louisiana: From his own claim he lacks 3138, on the returns of the Board of Supervisors of Registration he lacks 7600, and on the returns of the Commissioners of Elections he lacks 6600.

Mr. Randall: Do not the verified returns of the election show that while he received 19,340 votes, you only received 8514?

Mr. Sheldon, of Louisiana: He did not receive 19,000 votes.

Mr. Randall: The record shows it. It shows that he received a large majority of all the registered votes cast.

Mr. Sheldon, of Louisiana: The record does not show it. On the contrary the record shows that on Mr. Hunt's claim he was behind 3158, and the commissioners' returns show him to be behind 6600 in round numbers.

Mr. Randall: That is the question for us to decide here—who received the majority of the legal votes cast at that election?

Mr. Sheldon, of Louisiana: I say there were not 19,000 votes cast, nor 17,000 for the contestant.

Mr. Randall: There is the record, and it sustains what I have said.

Mr. Sheldon, of Louisiana: I appeal to the records, and I challenge contradiction of what I have stated.

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—And—

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au4

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ATTORNEY AT LAW, NOTARY PUBLIC AND COMMISSIONER OF DEEDS FOR ALL THE STATES.

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Persons desirous of attending Fancy Balls will please give her a call. no13

LEGAL NOTICES.

UNITED STATES DISTRICT COURT

DISTRICT OF LOUISIANA.

IN THE MATTER OF JOSEPH HOLZ, INDIVIDUALLY and as a member of the firm of Holz, Bloom & Co., and Holz & Bernheimer, bankrupt.

In Bankruptcy—No. 1053.

TO THE HONORABLE E. H. DURELL, Judge of the District Court of the United States for the District of Louisiana, sitting in bankruptcy:

The petition of E. E. Norton, of the city of New Orleans, herein appearing as the assignee in bankruptcy, of the estate of Joseph Holz, individually and as a member of the firm of Holz, Bloom & Co., and of Holz & Bernheimer, bankrupt, respectfully represents that among the assets surrendered by the bankrupt, and belonging to the aforesaid estate in bankruptcy, there is the following described real estate, situated in the State of Louisiana, in the parishes of Orleans, Jefferson and St. Helena, to wit—

1. A certain lot of ground situated in the First District of the city of New Orleans, in the triangular islet bounded by Claiborne, Gravier and Willow streets designated as No. 1, on a plan made by L. Pilie, November 27, 1860, and deposited in the office of O. E. Fortier, late notary public, as plan No. 57, said lot measures forty-one feet four inches and two lines front on Claiborne street, forty-one feet eight inches and three lines on Willow street, by a depth and front of ninety-eight feet eight inches and two lines on Gravier street, and a depth of eighty two feet two inches and seven lines on the side of lot No. 2.

2. A certain lot of ground, together with the buildings and improvements thereon situated, in the First District of the city of New Orleans, in the square bounded by White or Basin street, Franklin or Benton street, Thalia and Melpomene streets, designated as No. 2, and measuring fifty-five feet seven inches six lines front on White street by a depth of ninety-seven feet.

3. A certain lot of ground situated in the Fourth District of the city of New Orleans, Louisiana, in the square bounded by Jackson, White, Philip and Race streets, being lot No. 8, on a plan in the office of Joseph Cohn, notary public in the city of New Orleans, said lot measures twenty-three feet five inches front on Race street by a depth of one hundred and eighty-three feet seven inches and seven lines, and bounded on the rear line by an alley four feet wide, common to said lot and all others bordering thereon, which alley divides said lot from the adjoining cemetery of the Hebrew congregation, "Chaugarae Chapel."

4. Twelve lots of ground, with improvements thereon situated, in the town of Carrollton, in the parish of Jefferson, Louisiana, in square bounded by Monroe, Fourth, Leonidas and Zimpel streets, marked "A," according to a plan of A. D. d'Hemecourt, November 1, 1845, and deposited in the office of H. B. Cenas, notary public; said lots are designated Nos. 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18 and 19, on said plan. Lots Nos. 6, 7, 8, 9 and 10 adjoin each other, and measure thirty feet front on Fourth street, by a depth of one hundred and twenty feet, between parallel lines. Lot No. 10 forming the corner of Leonidas and Fourth streets. Lots Nos. 11 and 14 adjoin each other, and measure thirty feet seven inches and four lines front on Leonidas street, by a depth of one hundred and fifty feet, between parallel lines. Lots 15, 16, 17, 18 and 19 are contiguous, and measure thirty feet front on Zimpel street, by a depth of one hundred and twenty feet, between parallel lines; No. 15 forming the corner of Zimpel and Leonidas streets.

5. A certain lot of ground, situated in the town of Amite in the parish of St. Helena, Louisiana, designated as lot No. 1 in square No. 7, comprised between the Railroad avenue, Pine, First and Chestnut streets, measuring fifty feet front on the said Railroad avenue, by two hundred and seventy-five feet in depth, more fully described in the act of sale of J. Coleman to Joseph Holz, passed before Antoine Abat, notary public, on July 27, 1858.

Your petitioner further represents that the said hereinbefore described real estate is, as appears of record, encumbered and charged with the following hereinafter specified mortgages, judgments, liens and privileges resting thereon, to wit:

Special mortgage in favor of George Schantz, of the city of New Orleans, to secure the payment of a certain promissory note for $1200 and interest, dated January 12, 1869, and payable one year after date, drawn by Joseph Holz to his own order, and by him indorsed, secured by mortgage on the property herein first described, by act of mortgage before E. Eude, notary public, on January 12, 1869, ($1200).

Special mortgage, by act before E. Eude, notary public, of date January 9, 1869, in favor of George Schantz, of New Orleans, on the property herein fourthly described, to secure payment of a note for $1000 and interest, drawn by Joseph Holz to his own order, and by him indorsed, dated January 9, 1869, and payable one year from date, ($1000).

Special mortgage, by act before E. Eude, notary public, of date January 21, 1869, in favor of Charles Melchert, of New Orleans, on the property herein secondly described, to secure payment of a note for $1100 and interest, dated January 21, 1869, payable one year from date, drawn by Joseph Holz to his own order, and by him indorsed, ($1100).

State of Louisiana taxes, etc., on all property herein described, for 1869, amount unknown.

City of New Orleans and Carrollton taxes on city property herein described, for 1869, amount unknown.

Parish and town taxes on property fifthly described herein, amount unknown.

And your petitioner further represents that it is impossible for him to determine the validity of said incumbrances and the amount due thereon; that he can not ascertain the value of said property by agreement between himself and the creditors holding said security, as provided in section twenty of the bankrupt act of 1867. And that it is necessary, in order to ascertain the value of said property, and for the due, proper and speedy administration of said estate, and for the interest of the creditors therein, that said estate be sold at public auction, free and clear of all incumbrances. That all said judgments, mortgages, liens and privileges recorded against said property be canceled and erased, so that your petitioner can convey a clear and unincumbered title to any purchaser thereof, reserving to said George Schantz, of New Orleans, Louisiana, Charles Melchert, of New Orleans, State of Louisiana, city of New Orleans, town of Carrollton, Louisiana, Amite town, of parishes St. Helena, Jefferson and Orleans, Louisiana, and to all other persons, all their rights in law, to the proceeds of the sale of said property upon the distribution thereof.

Wherefore your petitioner prays that he may be ordered and authorized to sell said property above described at public auction, free and clear from all incumbrances. That all said judgments, mortgages, liens and privileges recorded against said property be canceled and erased, so that your petitioner can convey a clear and unincumbered title to any purchaser thereof, reserving to said George Schantz, of New Orleans, Louisiana Charles Melchert, New Orleans, State of Louisiana, New Orleans, town of Carrollton, Louisiana, town of Amite, Louisiana, parishes of St. Helena, Jefferson and Orleans, Louisiana, and to all other persons, all the rights in law to the proceeds of the sale of said property according to their rank. And he prays for all other necessary orders.

(Signed) A. DEB. HUGHES, Attorney.

On motion of A. DeB. Hughes, attorney of E. E. Norton, assignee, and upon suggesting to the court that he has filed in this court the foregoing petition, it is ordered that George Schantz, New Orleans, Louisiana, Charles Melchert, New Orleans, State of Louisiana, New Orleans, town of Carrollton, Louisiana, town of Amite, Louisiana, parishes of St. Helena, Jefferson and Orleans, Louisiana, and all other parties in interest, do show cause upon the thirteenth day of May, A. D. 1870, at eleven o'clock A. M., before this court, why the said petition should not be granted, and said property sold, as prayed for, and why all incumbrances recorded against said property should not be canceled and erased. And it is further ordered that notice of this petition and order be served upon said George Schantz, New Orleans, Charles Melchert, New Orleans, State of Louisiana, New Orleans, town of Carrollton, Louisiana, town of Amite, Louisiana, parishes of St. Helena, Jefferson and Orleans, Louisiana, and all other persons, by serving a copy thereof upon them, or their agent or attorney, or by publishing a copy of said petition and order three times in the New Orleans Republican, a newspaper printed in New Orleans, Louisiana, the last publication to be made at least five days before the day of hearing.

Signed April 13, 1870.

E. H. DURELL, Judge.

A true copy:
Clerk's office, New Orleans, April 13, 1870.
ap17 30 my7 K. LOEW, Deputy Clerk.

STATE OF LOUISIANA.

SECOND DISTRICT COURT FOR THE PARISH OF ORLEANS.

THE STATE OF LOUISIANA—TO ALL whom these presents shall come—Greeting—

WHEREAS, Mrs. Marie Ernestine Puech, wife of Ernest Puech, having purchased at a sale made by N. J. Hoey, auctioneer, the property hereinafter described has applied to the Clerk of this Court, in whose office the process verbal of said sale was recorded on the ninth day of April, A. D. 1870, for a Monition or Advertisement, in conformity to an act of the Legislature of the State of Louisiana, entitled "An Act relative to monitions and mode of proceeding," approved March 15, 1855.

Now, therefore, know ye, and all persons interested herein, are hereby cited and admonished in the name of the State of Louisiana, and of the Second District Court for the parish of Orleans, who can set up any right, title or claim in and to the property hereinafter described, in consequence of any informality in the order, decree or judgment of the court under which the sale was made, or any irregularity or illegality in the appraisements and advertisements, in time or manner of sale, or for any defect whatsoever, to show cause, within thirty days from the day this Monition is first inserted in the public papers, why the sale so made, should not be confirmed and homologated.

The said property was sold by N. J. Hoey, auctioneer, aforesaid, on the second day of April, A. D. 1870, by virtue of a decree of this court, rendered on the sixteenth day of September, A. D. 1868, in the matter of the minors Montgomery, No. 32 595 of the docket of this court, at which sale Mrs. Marie Ernestine Puech, wife of Ernest Puech, became the purchaser for the price of eighteen thousand three hundred and fifty dollars for the property hereinafter firstly described, and three thousand five hundred dollars for the property hereinafter secondly described.

Description of the property as contained in the judicial conveyance, viz—

1. A portion of ground, with the improvements thereon, situated in the Second District of this city, in the square bounded by Esplanade, Barracks, Bourbon and Dauphine streets; said ground forms the corner of Esplanade and Bourbon streets, and measures 62 feet 7 inches on Esplanade street, by 166 feet 7 inches on Bourbon street. The improvements comprise a brick house, etc., known as No. 88 Esplanade street.

2. A lot of ground in the same square as above described, measuring 37 feet 1 inch front on Bourbon street, by a depth of 129 feet 1 inch, between parallel lines. The improvements comprise a double one-story frame house, and is known as Nos. 299 and 301 Bourbon street.

Clerk's office, New Orleans, April 11, 1870.

M. O. TRACY,
ap12 26 my10 Clerk.

IN THE DISTRICT COURT OF THE UNITED STATES

DISTRICT OF LOUISIANA.

IN THE MATTER OF CHARLES HYLLESTED and P. F. Hatzel, individually and as members of the late firm of Hughes, Hyllested & Co., Bankrupts.

In Bankruptcy—No. 77.

THE CREDITORS OF THE ABOVE ESTATE are hereby notified that the second and third general meetings of creditors will be held at the office of C. S. Kellogg, one of the Registers in Bankruptcy, Custom House building, at the city of New Orleans, on the eleventh day of May, 1870, at 12 o'clock M.

ap20 24 E. E. NORTON, Assignee.

LEGAL NOTICES.

UNITED STATES DISTRICT COURT

DISTRICT OF LOUISIANA.

IN THE MATTER OF T. J. GARNER, Bankrupt.

In Bankruptcy—No. 154.

TO THE HONORABLE E. H. DURELL, Judge of the District Court of the United States for the district of Louisiana, sitting in bankruptcy:

The petition of E. E. Norton, of the city of New Orleans, herein appearing as the assignee in bankruptcy of the estate of T. J. Garner, bankrupt, respectfully represents—

That among the assets surrendered by the bankrupt, and belonging to the aforesaid estate in bankruptcy, there is the following described real estate, situated in the State of Louisiana, in the parish of Union, to wit:

A tract of land, occupied as the homestead of bankrupt, lying six miles east of Spearsville, Louisiana, known as the "Ben Dilly" tract, and containing two hundred and eighty acres, more or less.

Your petitioner further represents that the said hereinbefore described real estate is, as appears of record, encumbered and charged with the following hereinafter specified mortgages, judgments, liens and privileges resting thereon to wit:

Special mortgage in favor of Benjamin Dilly, Center Point, Sevier county, Arkansas, for $216.

And your petitioner further represents that it is impossible for him to determine the validity of said incumbrances, and the amount due thereon; that he can not ascertain the value of said property by agreement between himself and the creditors holding said security, as provided in section twenty of the bankrupt act of 1867. And that it is necessary in order to ascertain the value of said property, and for the due, proper and speedy administration of said estate, and for the interest of the creditors therein, that said estate be sold at public auction, free and clear of all incumbrances. That all said judgments, mortgages, liens and privileges recorded against said property be canceled and erased, so that your petitioner can convey a clear and unincumbered title to any purchaser thereof, reserving to said Benjamin Dilly, Center Point, Sevier county, Arkansas, and to all other persons, all their rights in law to the proceeds of the sale of said property, upon the distribution thereof.

Wherefore your petitioner prays that he may be ordered and authorized to sell said property above described at public auction, free and clear from all incumbrances. That all said judgments, mortgages, liens and privileges recorded against said property be canceled and erased, so that your petitioner can convey a clear and unincumbered title to any purchaser thereof, reserving to said Benjamin Dilly, Center Point, Sevier county, Arkansas, and to all other persons, all the rights in law to the proceeds of the sale of said property, according to their rank. And he prays for all other necessary orders.

(Signed) A. DEB. HUGHES, Attorney.

On motion of A. DeB. Hughes, attorney of E. E. Norton, assignee, and upon suggesting to the Court that he has filed in this Court the foregoing petition, it is ordered—

That Benjamin Dilly, Center Point, Sevier county, Arkansas, and all other parties in interest, do show cause upon the fourteenth day of May, A. D., 1870, at eleven o'clock A. M., before this Court, why the said petition should not be granted, and said property sold, as prayed for, and why all incumbrances recorded against said property should not be canceled and erased. And it is further ordered that notice of this petition and order be served upon said Benjamin Dilly, Center Point, Sevier county, Arkansas, and all other persons, by serving a copy thereof upon them, or their agent or attorney, or by said E. E. Norton, assignee, publishing a copy of said petition and order three times in the New Orleans Republican, a newspaper printed in New Orleans, the last publication to be made at least five days before the day of hearing.

Signed April 6, 1870.

E. H. DURELL, Judge.

A true copy:
Clerk's Office, New Orleans, April 6 1870.
ap10 21 my8 CHS. CLAIBORNE, Clerk.

UNITED STATES DISTRICT COURT

DISTRICT OF LOUISIANA.

IN THE MATTER OF L. J. PHILLIPS, BANKRUPT.

In Bankruptcy—No. 782.

TO THE HONORABLE E. H. DURELL, Judge of the District Court of the United States for the District of Louisiana, sitting in bankruptcy:

The petition of E. E. Norton, of the city of New Orleans, herein appearing as the assignee in bankruptcy of the estate of L. J. Phillips, bankrupt, respectfully represents that among the assets surrendered by the bankrupt and belonging to the aforesaid estate in bankruptcy, there is the following described real estate, situated in the State of Louisiana, in the parish of Claiborne, to wit—

The southwest quarter of the northwest quarter of section twenty-four, and the northeast quarter of section twenty-three, in township twenty of range nine west, excepting the northwest quarter of the last named quarter section; also, the northwest quarter of the southwest quarter of section twenty-four, township twenty, range nine west.

Your petitioner further represents that the hereinbefore described real estate is, as appears of record, incumbered and charged with the following hereinafter specified mortgages, judgments, liens and privileges resting thereon, to wit:

Mortgage in favor of F. O. Krous for $400.

And your petitioner further represents that it is impossible for him to determine the validity of said incumbrances and the amount due thereon; that he can not ascertain the value of said property by agreement between himself and the creditors holding said security, as provided in section twenty of the bankrupt act of 1867. And that it is necessary in order to ascertain the value of said property, and for the due, proper and speedy administration of said estate, and for the interest of the creditors therein, that said estate be sold at public auction, free and clear of all incumbrances. That all said judgments, mortgages, liens and privileges recorded against said property be canceled and erased, so that your petitioner can convey a clear and unincumbered title to any purchaser thereof, reserving to said F. O. Krous and to all other persons, all their rights in law to the proceeds of the sale of said property upon the distribution thereof.

Wherefore your petitioner prays that he may be ordered and authorized to sell said property above described at public auction, free and clear from all incumbrances. That all said judgments, mortgages, liens and privileges recorded against said property be canceled and erased, so that your petitioner can convey a clear and unincumbered title to any purchaser thereof, reserving to said F. O. Krous, and to all other persons, all the rights in law to the proceeds of the sale of said property, according to their rank. And he prays for all other necessary orders.

(Signed) A. DEB. HUGHES, Attorney.

On motion of A. DeB. Hughes, attorney of E. E. Norton, assignee, and upon suggesting to the court that he has filed in this court the foregoing petition, it is ordered that F. O. Krous, Germantown, Louisiana, and all other parties in interest, do show cause upon the fourteenth day of May, A. D. 1870, at eleven o'clock A. M., before this court, why the said petition should not be granted and said property sold, as prayed for, and why all incumbrances recorded against said property should not be canceled and erased. And it is further ordered that notice of this petition and order be served upon said F. O. Krous and all other persons, by serving a copy thereof upon them, or their agent or attorney, or by said E. E. Norton, assignee, publishing a copy of said petition and order three times in the New Orleans Republican, a newspaper printed in New Orleans, the last publication to be made at least five days before the day of hearing.

Signed April 6, 1870.

E. H. DURELL, Judge.

A true copy:
Clerk's office, New Orleans, April 6, 1870.
ap10 21 my8 CHARLES CLAIBORNE, Clerk.

UNITED STATES DISTRICT COURT

DISTRICT OF LOUISIANA.

IN THE MATTER OF JOHN W. CLARKE, Bankrupt.

In Bankruptcy—No. 957.

TO THE HONORABLE E. H. DURELL, Judge of the District Court of the United States for the District of Louisiana—sitting in Bankruptcy:

The petition of E. E. Norton, of the city of New Orleans, herein appearing as the assignee in bankruptcy, of the estate of John W. Clarke, bankrupt, respectfully represents that, among the assets surrendered by the bankrupt, and belonging to the aforesaid estate in bankruptcy, there is the following described real estate, situated in the State of Louisiana, in the parish of Madison, to wit—

A plantation, situated in Madison parish, Louisiana, lying on Joes Bayou, containing seven hundred and seventy-nine acres of land, more or less, and known as the "Whitaker Place," together with dwelling house, cabins, barn and all other improvements thereon.

Your petitioner further represents that the said hereinbefore described real estate is, as appears of record, encumbered and charged with the following hereinafter specified mortgages, judgments, liens and privileges resting thereon, to wit—

Special mortgage in favor of John F. Lewis, of New Orleans, on record in Madison parish, to secure the payment of four notes, two for $5030, and two for $3500, dated January 27, 1866, drawn by John W. Clarke and F. H. G. Taylor, amounting to about $17,000.

And your petitioner further represents, that it is impossible for him to determine the validity of said incumbrances and the amount due thereon; that he can not ascertain the value of said property by agreement between himself and the creditors holding said security, as provided in section twenty of the bankrupt act of 1867. And that it is necessary in order to ascertain the value of said property, and for the due, proper and speedy administration of said estate, and for the interest of the creditors therein, that said estate be sold at public auction, free and clear of all incumbrances. That all said judgments, mortgages, liens and privileges recorded against said property be canceled and erased, so that your petitioner can convey a clear and unincumbered title to any purchaser thereof, reserving to said John F. Lewis, and to all other persons, all their rights in law, to the proceeds of the sale of said property upon the distribution thereof.

Wherefore, your petitioner prays that he may be ordered and authorized to sell said property above described at public auction, free and clear from all incumbrances. That all said judgments, mortgages, liens and privileges recorded against said property be canceled and erased, so that your petitioner can convey a clear and unincumbered title to any purchaser thereof, reserving to said John F. Lewis, and to all other persons, all the rights in law to the proceeds of the sale of said property according to their rank. And he prays for all other necessary orders.

(Signed) A. DEB. HUGHES, Attorney.

On motion of A. DeB. Hughes, attorney of E. E. Norton, assignee, and upon suggesting to the court that he has filed in this court the foregoing petition, it is ordered that John F. Lewis, and all other parties in interest do show cause upon the seventh day of May, A. D., 1870, at eleven o'clock A. M., before this court, why the said petition should not be granted, and said property sold, as prayed for, and why all incumbrances recorded against said property should not be canceled and erased. And it is further ordered that notice of this petition and order be served upon said John F. Lewis, and all other persons, by serving a copy thereof upon them, or their agent or attorney, or by said E. E. Norton, assignee, publishing a copy of said petition and order three times in the New Orleans Republican, a newspaper printed in the city of New Orleans, Louisiana, the last publication to be made at least five days before the day of hearing.

Signed April 4, 1870.

E. H. DURELL, Judge.

A true copy:
Clerk's office, New Orleans, April 4, 1870.
CHARLES CLAIBORNE,
ap8 21 30 Clerk.