New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

THE COURTS.

Eighth District Court—Judge Dibble Decides the Controversy About the Issuance of the Chattanooga Railroad Bonds—Important Decision Relative to Land Titles, etc.

In the case of C. H. Slocomb, et als vs. James Graham, Auditor, et als, praying for an injunction to prevent the issuance of bonds to the amount of $750,000 to the New Orleans, Mobile and Texas Railroad Company, the preliminary injunction, for reasons orally assigned, was refused by Judge Dibble. He said in his decision that plaintiffs allege that the act of the Legislature appropriating the $3,000,000 is unconstitutional, for the following reasons:

1. Because the issuance of the bonds is an increase of the State debt beyond its limitation.

2. The act should be held unconstitutional, because it is a donation for a private purpose.

The first plea has been disposed of by the Supreme Court in the recent decision in the case of the State ex rel. Salomon & Simpson vs. James Graham, Auditor, in which the appropriation of $3,000,000 was held to be a part of the State debt. The judgment in that case was based upon the doctrine that neither the Legislature nor the constitution makers can impair a contract made by the Legislature. The grant of the bonds in question was a contract entered into by the State in consideration of labor to be expended and benefits to be reaped by the State.

Therefore, the first objection is of no effect, as even, if the appropriation of bonds was in excess of the State debt, the contract can not be impaired by constitutional amendment.

As to the second objection, that the State in granting the aid exceeded its power, in that the appropriation was a donation to a private corporation, there have been contrary doctrines held by the courts of twenty-eight different States.

The notion that the States have no power to grant such aid proceeds upon the idea that a railroad company is a private corporation; that the appropriation of aid necessitating taxation is for private advantage. But a railroad company is not a private corporation. The fact that railroad charters authorize expropriation of the private lands of citizens for the construction of the road is based upon the fact that such expropriation is for a public purpose. The Legislature has no power to authorize expropriation for private purposes.

There is no limitation upon the power of the Legislature to levy a tax for public purposes, and a railroad company is a corporation erected for a public purpose, a grant for their aid implies a tax for public advantage.

For these and other reasons, orally assigned, the preliminary injunction was refused.

Judge Dibble has decided the case of Thomas C. Payan vs. Hugh J. Campbell, Register of the State Land Office.

The facts of the case are these: Some months ago the relator applied for a writ of mandamus to compel the register to issue his warrant upon the Auditor for $1302 70, representing this: In November, 1861, he purchased certain swamp lands from the State; the State seceding shortly afterward, his title was granted to him by the officers of the State under the Confederate government.

In 1865 the Governor instructed the register to consider all sales of lands made under the above circumstances null and void, and in default of repayment by the original purchaser, to resell the same. The relator had put important improvements upon his property, and to not lose the same he made the second payment. He now seeks to recover the sum of the last payment.

The act of the Legislature of 1871, section 12, confirms the title of land issued subsequently to secession.

The mandamus was made peremptory and the Register ordered to issue his warrant as prayed for.

The case of Esnard vs. the city of New Orleans, to recover some blue Metropolitan warrants, was yesterday morning up for argument before a jury.

Seventh District Court.

Thomas Digby has filed two suits against Ellen Follin, for damages in the alleged abduction of his child, claiming $6000 on his account and $4000 for his child, as recompense for expenditure of money and mental suffering consequent on the abduction of the child.

B. Similien Labranche, a planter, has filed a suit to recover from the Louisiana Levee Company $25,400 as damages to his plantation in consequence of the crevasse at Bonnet Carre.

Fourth District Court.

In the case of Amelius Letorey vs. Alfred Marie, the jury has returned a verdict in favor of plaintiff for $999 35, with interest.

The following cases were fixed for trial by jury yesterday: Chase & Codat vs. Hoffman, Marks & Co.; Finney vs. Widow Smith; Winter vs. Randall.

In the case of Larieu vs. Dumonteil, decided a week ago by Judge Theard in favor of defendant, a suspensive appeal has been taken.

Sixth District Court.

Eleven suits, brought by the late Jefferson City policemen against the city of New Orleans, to recover for services rendered during the late riots, were decided by a jury in this court Tuesday, verdicts being rendered against the city in all. Seven of these cases were consolidated, and tried as one.

United States Circuit Court—Before Hon. E. H. Durell, District Judge.

In the case of P. Harris, who in a former trial was convicted by a jury of counterfeiting United States currency, the new trial which was granted by the court was, after hearing of evidence and argument by counsel, submitted to a jury, whose decision at a late hour last evening was not known.

The Gaines demurrer case in chancery before Judges Bradley and Wood, occupied the whole day in argument, and had not been brought to a conclusion when the court adjourned.

Commissioner Weller's Court.

A somewhat serious case came up before the commissioner yesterday. Mr. William H. Decker, the storekeeper in United States bonded warehouse No. 2, class four, made an affidavit charging John McKenna, employed as a clerk in the warehouse, with obstructing him in the discharge of his official duties and committing a violent and unprovoked assault and battery.

The evidence shows that the affiant was applied to by some colored laborers employed to transport salt from the warehouse to know how many sacks they had carried out, they receiving so much per sack for transporting them. The count given by the storekeeper being much greater than that acknowledged by the clerk (making a difference of several dollars in the wages of the laborers), the latter became enraged, and, after some altercation, made a savage attack on the storekeeper.

The latter is a crippled soldier, having, while in the service of the United States, received severe wounds, especially one in the left leg made by an explosive bullet, the hurt leaving the leg in such condition as to be nearly no leg at all. He was savagely kicked twice on the wounded leg, fell fainting in consequence, and while prostrate was kicked in the head and face.

The hero of this valiant deed was arrested, and ordered by the commissioner to give bonds to appear for examination tomorrow. At a late hour bonds had not been furnished.

On the second instant warrants were issued for the arrest of Joseph Duncan, George Wells and Festus Mix, citizens of Ponchatoula, charged by John H. Collins and James W. Brown with having banded and conspired together to deprive them of their constitutional right to reside in the parish of Tangipahoa. Collins is a justice of the peace, and Brown a constable at Ponchatoula.

Yesterday they were brought before the commissioner by Deputy Marshal Steele, when, in consequence of the condition of the roads and the difficulty of procuring witnesses, they waived an examination and gave bonds to answer at the next term of the United States Circuit Court—Duncan (against whom there was but one charge), in $250, and the other two in $250 in each case.

IN BANKRUPTCY.

ESTATES OF RIEMANN & CO., AND Hermann Heinrich Riemann, and Thusnelda Deter, individually, Bankrupts.

OFFICE UNITED STATES MARSHAL, District of Louisiana, New Orleans, June 8, 1871.

THIS IS TO GIVE NOTICE THAT ON THE seventh day of June, 1871, a warrant in bankruptcy was issued against the estates of Riemann & Co., and Hermann Heinrich Riemann, and Thusnelda Deter, individually, of New Orleans, in the parish of Orleans, and State of Louisiana, who have been adjudged bankrupts on their own petitions; that the payment of any debts and delivery of any property belonging to such bankrupts, to them, or for their use, and the transfer of any property by them are forbidden by law; that a meeting of the creditors of said bankrupts, to prove their debts, and to choose one or more assignees of their estates, will be held at a Court of Bankruptcy, to be holden at New Orleans, in the Customhouse building, before C. S. Kellogg, Register, on the eighteenth day of June, A. D., 1871, at nine o'clock A. M.

S. B. PACKARD, United States Marshal.

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ESTATE OF JOSEPH BERNHEIM.

OFFICE OF UNITED STATES MARSHAL, District of Louisiana, New Orleans, May 24, 1871.

THIS IS TO GIVE NOTICE THAT ON THE twenty-fourth day of May, A. D. 1871, a warrant in bankruptcy was issued against the estate of JOSEPH BERNHEIM, of New Orleans, in the parish of Orleans and State of Louisiana, who has been adjudged a bankrupt on his own petition; that the payment of any debts and delivery of any property belonging to such bankrupt, to him, or for his use, and the transfer of any property by him, are forbidden by law; that a meeting of the creditors of said bankrupt, to prove their debts and choose one or more assignees of his estate, will be held at a Court of Bankruptcy, to be holden at New Orleans, in the Customhouse building, before C. S. Kellogg, Register, on the sixteenth day of June, A. D. 1871, at nine o'clock A. M.

S. B. PACKARD, United States Marshal, District of Louisiana.

my25 je16

ESTATES OF DAVID ZABLE AND PATRICK H. COTTON.

OFFICE UNITED STATES MARSHAL, District of Louisiana, New Orleans, May 25, 1871.

THIS IS TO GIVE NOTICE THAT ON THE twenty-fourth day of May, A. D. 1871, a warrant in bankruptcy was issued against the estates of David Zable and Patrick H. Cotton, individually and as members of the firm of Zable & Dalton, of New Orleans, in the parish of Orleans, and State of Louisiana, who have been adjudged bankrupts on their own petition; that the payment of any debts and delivery of any property belonging to such bankrupts, to them or for their use, and the transfer of any property by them, are forbidden by law; that a meeting of the creditors of said bankrupts, to prove their debts and to choose one or more assignees of their estate, will be held at a Court of Bankruptcy, to be holden at the city of New Orleans, State of Louisiana, in the Customhouse building, before C. S. Kellogg, Register, on the sixteenth day of June, A. D. 1871, at nine o'clock A. M.

S. B. PACKARD, United States Marshal, District of Louisiana.

my25 je16

ESTATE OF STEPHEN F. POWER.

OFFICE OF UNITED STATES MARSHAL, District of Louisiana, New Orleans, June 1, 1871.

THIS IS TO GIVE NOTICE THAT ON THE thirty-first day of May, A. D. 1871, a warrant in bankruptcy was issued against the estate of Stephen F. Power, of New Orleans, in the parish of Orleans and State of Louisiana, who has been adjudged a bankrupt on his own petition; that the payment of any debts and delivery of any property belonging to such bankrupt, to him, or for his use, and the transfer of any property by him are forbidden by law; that a meeting of the creditors of said bankrupt, to prove their debts and choose one or more assignees of his estate, will be held at a court of bankruptcy, to be holden at New Orleans, in the the parish of Orleans, State of Louisiana, before C. S. Kellogg, Register, on the fifteenth day of June, A. D. 1871, at nine o'clock A. M.

S. B. PACKARD, United States Marshal.

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ESTATES OF LEVY & DIETER, DEIter, Goldstein & Co., A. Dessommes, Levy & Co., and Jonas H. Levy, Anderson D. Deiter, and Auguste Dessommes, individually.

OFFICE OF UNITED STATES MARSHAL, District of Louisiana, New Orleans, June 2, 1871.

THIS IS TO GIVE NOTICE THAT ON THE first day of June, A. D. 1871, a warrant in bankruptcy was issued against the estates of Levy & Deiter, Deiter, Goldstein & Co., A. Dessommes, Levy & Co., and Jonas H. Levy, Anderson D. Deiter and Auguste Dessommes, individually, of New Orleans, in the parish of Orleans and State of Louisiana, who have been adjudged bankrupts on their own petition; that the payment of any debts and delivery of any property belonging to such bankrupt, to them or for their use, and the transfer of any property by them, are forbidden by law; that a meeting of the creditors of said bankrupts, to prove their debts and to choose one or more assignees of their estates, will be held at a court of bankruptcy, to be holden at New Orleans, in the Customhouse building, before C. S. Kellogg, Register, on the fifteenth day of June, A. D. 1871, at nine o'clock A. M.

S. B. PACKARD, United States Marshal.

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CORPORATIONS.

CHARTER.....CHARTER.

STATE OF LOUISIANA, CITY OF NEW ORLEANS.

Be it known, that on the twenty-third day of May, 1871, before George William Christy, a notary public in and for the city and parish of Orleans, State of Louisiana, aforesaid, duly commissioned and qualified, personally came and appeared the parties whose names are hereunto subscribed, and who did respectively declare that, availing themselves of the provisions of the laws of Louisiana in such case made and provided, they have covenanted and agreed, and do hereby covenant and agree, and bind themselves and those whom they represent, to form themselves into a corporation for the objects and purposes, and under the stipulations, regulations and obligations contained in the following articles of incorporation for the space and term of twenty-five years:

ARTICLE I.

The corporate name of this company shall be the "CONSOLIDATED EUREKA GASLIGHT COMPANY."

ARTICLE II.

The legal domicile of the company shall be in the city of New Orleans, and all citations shall be served on the President of the company, or, in his absence, on the Vice President.

ARTICLE III.

The object of this company shall be to manufacture and sell Eureka Gas Machines, for lighting towns, factories, private dwellings, etc., in the States of North Carolina, South Carolina, Georgia, Florida, Alabama, Louisiana, Tennessee, Kentucky, Texas, Mississippi and Arkansas.

ARTICLE IV.

The capital stock of the company is hereby fixed at eight hundred thousand dollars ($800,000), which shall be divided into eight thousand shares (8000) of one hundred dollars ($100), seven thousand seven hundred shares shall be issued to the owners of the patents as full paid stock for their rights of patents for said States; thirty thousand dollars ($30,000) of the capital stock shall be considered as preferred stock and fully paid up at fifty per cent, or fifty dollars ($50) per share in the manner following, to wit: Ten per cent cash to be paid in at the time of subscription, and ten per cent additional to be paid in every thirty days until said fifty per cent in preferred stock shall have been paid up in full; should any subscriber refuse or neglect punctually to pay his installment or installments, as the said may become due and mature on said preferred stock, interest thereon at the rate of eight per cent per annum shall be added thereto from maturity till paid, and if any subscriber to said preferred stock shall neglect or refuse to pay his installment or installments on stock within thirty days after the same shall have become due, the Board of Directors shall cause the share or shares upon which said installment or installments are due to be sold at public auction or otherwise, as they may deem fit after ten days notice to such delinquent without legal proceedings or any formality whatever.

ARTICLE V.

The business of the corporation shall be conducted by a board of seven directors, and J. P. Cross, D. Webster, E. Tomatis, John Pasley, Simeon Belden, Thomas P. McManus and T. G. Springer are hereby constituted the first Board of Directors, who shall serve until their successors are duly elected. At their first meeting the directors shall elect from their number a president and vice president, who shall remain in office until their successors are duly elected and qualified; and they, the directors, shall have the right, at any time, to elect a secretary, treasurer and such other officers and employes as may be required. On the first Monday of January next, 1872, and annually thereafter, a regular election for directors shall be held at the office of the company. Each stockholder shall be entitled to one vote for each share held by him, and may vote by proxy; a plurality of votes shall be sufficient for an election, but no stockholder shall vote more than one hundred shares, with the exception of the first board. No person shall be eligible to the position of director who does not hold at least five shares of the capital stock of the company, free from any dues.

In the event of no election taking place on the day fixed for the election of directors, the president shall cause an election to be held within ten days after such failure to elect, and shall give public notice thereof by advertisement in one or more of the newspapers published in the city of New Orleans.

ARTICLE VI.

The capital stock of the company may at any time be increased by a majority vote of the stockholders voting under the requirements of this charter.

ARTICLE VII.

This charter may be modified, altered or amended, or the company may be dissolved at a general meeting of the stockholders convened for that purpose, after thirty days notice, with the assent of three-fourths in amount of the stock represented at such meeting, and any such modification, addition, change or dissolution shall be recorded and published according to law.

Whenever the dissolution of the corporation shall become necessary by reason of the action of its stockholders, by limitation, or from any cause whatever, its affairs shall be immediately placed in liquidation, and its debts paid under the charge and superintendence of three commissioners to be appointed by the Board of Directors, who shall remain in office until the final liquidation of the affairs of the company and the distribution of its surplus funds among the stockholders.

The United States internal revenue stamps of five cents per sheet, required by law for this act, have been hereunto duly affixed and canceled.

Thus done and passed in my office, at the city of New Orleans aforesaid, on the day and date above written, in the presence of Frederick Adolph and William A. Robertson, witnesses of lawful age and domiciliated in said city, who hereunto sign their names, together with the parties subscribing, and me, notary.

Original signed:

FREDERICK ADOLPH,
WILLIAM A. ROBERTSON,
GEORGE W. CHRISTY,
Notary Public.

I hereby certify the foregoing to be a true copy of the original act of incorporation, extant in my current notarial register, the names of the signers being omitted.

In witness whereof I grant these presents under my signature and seal of office.

GEORGE W. CHRISTY, Notary Public.

New Orleans, May 24, 1871.

A meeting of stockholders and incorporators will be held at the rooms of Captain J. P. Cross, No. 17 Duplinie street, THIS EVENING, at seven o'clock.

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CHARTER.....CHARTER.

STATE OF LOUISIANA, CITY OF NEW ORLEANS.

Be it known that on this twenty-seventh day of May, A. D. 1871, before me, George William Christy, a notary public in and for the city and parish of Orleans, State of Louisiana aforesaid, duly commissioned and qualified, personally came and appeared the parties whose names are hereunto subscribed, and who did respectfully declare, that, availing themselves of the provisions of the laws of Louisiana in such case made and provided, they have covenanted and agreed, and do by these presents covenant and agree, and bind themselves and those whom they represent, to form themselves into a corporation for the objects and purposes hereinafter named, and agreeably to the stipulations contained in the following articles of incorporation:

ARTICLE I.

The corporate name of this company shall be CUBA AND LOUISIANA MINING AND PAVING COMPANY. It shall have a seal, with the corporate name of the company engraved thereon.

ARTICLE II.

The legal domicile of the corporation shall be in the city of New Orleans, State of Louisiana. The charter shall remain in full force for the space and term of twenty-five years, unless sooner annulled, and the corporation shall have rights of succession. The president of the company shall be the proper officer on whom citations and other legal process shall be served, and in his absence service shall be made on the vice president.

ARTICLE III.

The objects and purposes for which this corporation is established are to work the Asphaltum Mines, on the island of Cuba, known as the "Minas de Roberts," "Minas de Rodes," and "Minas Balmasada," to ship the asphaltum to different parts of the world, and to lay pavements constructed of asphaltum in the island of Cuba and in the State of Louisiana, according to certain patents known as Van Camp and O. Hodgman's patents.

ARTICLE IV.

The capital stock of the company is hereby fixed at one million dollars, to be represented by ten thousand shares of one hundred dollars each. All stock shall be considered fully paid up at the time of subscribing, with the exception of six thousand shares, representing six hundred thousand dollars of the capital stock, which shall be issued to the owners of said mines and patents, as preferred and fully paid up stock, on their making a valid transfer and assignment of all their rights in and to the said mines, and of their rights in said patents for the island of Cuba and State of Louisiana.

ARTICLE V.

This charter may be altered or amended by the consent of three-fourths of the stock represented in a general meeting of the stockholders convened for that purpose, after thirty days' notice in two daily papers published in the city of New Orleans.

ARTICLE VI.

All powers of the corporation, except as herein limited, shall be vested in a Board of Directors, consisting of seven stockholders, each holding at least fifty shares of the capital stock of the corporation, and no stockholder shall be eligible as a director unless he has held said fifty shares in his own name at least sixty days prior to said election; Provided, however, that until the first election of directors under this charter, the Board of Directors shall be composed of the following named seven persons, viz: A. Van Camp, Thos. F. Kerr, Jas. R. Hastings, P. B. Fouke, George Herbert, A. B. Seelye and Z. Taylor; and A. Van Camp shall be president of said board, and A. B. Seelye shall be vice president of said board, who shall remain in office until their successors are duly elected in accordance with article seven.

ARTICLE VII.

On the first Monday in January, 1872, and annually thereafter (fifteen days' previous notice thereof having been given in two of the daily newspapers of the city of New Orleans), an election for directors for the coming year shall be held by the stockholders at the office of the company, and a plural ty of votes, counting one vote for each share of stock voted on (either by the holder thereof or his proxy), shall be sufficient for the election of a director; and if, from any cause, said election should fail on the day appointed, the meeting of stockholders for that purpose may be adjourned, fifteen days, and, if necessary, every succeeding fifteen days thereafter; notice thereof being inserted in the daily papers as above provided, until a valid election of directors is effected.

All elections shall be by ballot, superintended by three inspectors chosen by vote among the stockholders (not directors) present on the day of election.

The directors thus elected, shall, at their first meeting, choose (by a majority of the whole board) one from among themselves as president of this corporation, and one as vice president.

It shall be the duty of the president to preside at all meetings of the board. In case of his absence or inability to act, the vice president shall perform all the duties of the president, and be vested with the same powers.

At all meetings of stockholders for the election of directors or for other purposes, each stockholder shall be entitled to one vote (either directly or by proxy) for every share of the stock held by him, and for which his name appears on the books of the corporation.

ARTICLE VIII.

A majority of the board shall constitute a quorum to transact all the business of the corporation, and any director who shall fail to be be present at four consecutive meetings, without the consent of the board, shall be considered as having vacated his office. The board shall have power to fill any vacancy that may occur among the directors from death resignation, absence or otherwise.

The board shall elect a secretary, a treasurer and all other officers, clerks and agents of the corporation which they may deem necessary; shall define their duties, fix their salaries, and remove them at pleasure.

The board may grant (for the transaction of the business of the corporation) to committees of their own body, or to their officers or agents, such powers as they may deem expedient, and may also appoint agents within and without the State of Louisiana, under such conditions as to said board may seem proper; and the board shall have full power to make by-laws, rules and regulations, and to alter and amend the same whenever they consider it necessary.

Minutes of the proceedings of the Board of Directors shall be kept by the secretary and signed by the president.

ARTICLE IX.

Whenever certificates of stock are issued to stockholders, they shall be signed by the president and the secretary. All notes, drafts, checks, contracts, and all evidences of debt, shall also be signed by the president and secretary. Books shall be kept open for the registry and transfer of shares of the capital stock of the corporation, subject to the regulations established by the board. Transfers shall be made in said books and signed by the shareholder or his attorney in fact.

All transfers of stock shall be valid and recognized by the corporation if signed on the back of the certificate by the shareholder and two witnesses.

ARTICLE X.

No stockholder in this corporation shall ever be liable or responsible for the contracts or faults of the corporation, nor shall any member informality in organization have the effect of rendering this charter null, or of exposing a stockholder to any liability beyond the amount of his stock.

ARTICLE XI.

The liquidation of the affairs of the corporation shall be made by three commissioners, appointed by the stockholders from among their own members, at meeting convened for that purpose, after thirty days previous notice in two newspapers published in New Orleans. The duty of said commissioners shall be to liquidate finally all the business of the corporation, on such terms and in such manner as shall be determined at the meeting by a majority of the stockholders present or represented; and if, at any time prior to the termination of this charter, two thirds of all the stockholders in number, representing two thirds of the stock in amount, shall at any meeting of the stockholders called for that purpose, after thirty days previous notice, for the liquidation of the affairs of this corporation, and elect commissioners, and determine the mode and manner in which said liquidation is to be made, then the liquidation shall be made immediately.

ARTICLE XII.

The names of the stockholders, their residence and the number of shares held by each are declared to be such as are subscribed to this act of incorporation and set opposite each of their names respectively.

The United States internal revenue stamp of five cents per sheet required by law for this act has been hereunto duly affixed and canceled.

This done and passed in my office, at the city of New Orleans, aforesaid, on the day and date above written, in the presence of Harry T. Hays and Samuel M. Burnett, witnesses of lawful age and domiciliated in said city, who hereunto sign their names, together with the parties subscribing, and me, notary.

(Original signed) A. VAN CAMP,
THOMAS F. KERR,
P. B. FOUKE,
Z. TAYLOR,
J. R. HASTINGS,
GEORGE HERBERT,
SAMUEL H. HOUSTON,
A. B. SEELYE,
W. F. DUNHAM,
HARRY T. HAYS,
S. M. BURNETT,
GEORGE W. CHRISTY,
Notary Public.

I hereby certify the foregoing to be a true copy of the original act of incorporation extant in my office. In witness whereof I grant these presents under my signature and seal of office.

GEORGE W. CHRISTY, Notary Public.

New Orleans, May 27, 1871. my28 je4 11 18

AUCTION SALES.

By C. E. Girardey & Co.

PROPERTY ON POYDRAS AND HOWARD STREETS.

SALE IN PARTITION.

MRS ALEXANDER TAYLOR, LATE WIDOW OF Michael Downey, vs. Hugh McCloskey, under tutor of the minors Richard James and Mary Eliza Downey.

Second District Court for the parish of Orleans—No. 34,564.

BY C. E. GIRARDEY & CO., AUCTIONEERS—Nicholas J. Hoey, Auctioneer—Office No. 17 Exchange Place—SATURDAY, June 24, 1871, at twelve o'clock M., at the Merchants and Auctioneers' Exchange, on Royal street, between Canal and Customhouse streets, by virtue of two judgments rendered by the honorable the Second District Court for the parish of Orleans, on the ninth and nineteenth days of May, 1871, will be sold by public auction, in order to effect a partition in the above entitled matter—

TWO LOTS OF GROUND, with all the buildings and improvements thereon, in the First District of this city, in the square bounded by Poydras, Lafayette (late Hevia), Liberty (late St Paul) and Howard (late Gironde) streets, and designated as lots Nos. 4 and 9 of said square.

Lot No. 4 measures 28 feet 10 inches and 5 lines front on Poydras street, by 110 feet in depth, between parallel lines. The improvements comprise a one-story and attic frame cottage, with front gallery, hall and three rooms; a two-story wing to the extent of six rooms (this portion damaged by fire); yard paved, bath house, hydrant, etc. The property is known as No. 306 Poydras street.

Lot No. 9 measures 27 feet 3 inches and 5 lines front on Howard (late Gironde) street, by 107 feet 10 inches in depth, between parallel lines. On this lot is a one-story building and shed, known as No. 130 Howard street.

Terms—One-third cash, the remainder at one and two years credit in notes of the purchasers, bearing interest of eight per cent per annum from date of sale until final payment, with the penal clause of five per cent attorney's fees in event of suit to enforce payment of the notes, to be secured by special mortgage and vendor's lien on the property sold, the improvements to be kept insured and policies transferred to holders of notes, and purchasers to assume payment, over and above their bids, of all taxes for 1871.

Acts of sale and United States stamps, at the expense of the purchasers, before W. J. Castell, notary public.

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CRESCENT CITY RAILROAD STOCK, CITY BONDS, ETC.

SUCCESSION OF CAIRNCROSS NESBITT.

Second District Court for the parish of Orleans—No. 33,633.

BY C. E. GIRARDEY & CO., AUCTIONEERS—Nicholas J. Hoey, auctioneer—Office No. 17 Exchange Place—SATURDAY, June 10, 1871, at twelve o'clock M., at the Merchants and Auctioneers' Exchange, on Royal, between Canal and Customhouse streets, by virtue of an order of the honorable the Second District Court for the parish of Orleans, dated May 12, 1871, will be sold by public auction, on account of the succession of Cairncross Nesbitt, the following described property, to wit—

1. ONE HUNDRED AND FIFTY SHARES of the capital stock of the Crescent City Railroad Company.

2. THREE CONSOLIDATED BONDS of the city of New Orleans, for the sum of $1000 each, Nos. 4206, 4210, and 4212.

3. THREE BONDS of the city of New Orleans, for the sum of $1000 each, bearing interest at the rate of seven per cent per annum, payable semi-annually.

4. A PROMISSORY NOTE of Ann Waters, dated January 27, 1863, payable one year after date, for the sum of $1000, with interest of eight per cent from date.

Terms—Cash. my23 je3 4 10

CHOICE CANAL STREET PROPERTY, CORNER OF JOHNSON STREET.

SUCCESSION OF OCTAVE H. DESFORGES.

C. M. TARUT, TUTOR, VS. MR. AND MRS. H. ROLLING.

SALE IN PARTITION.

Second District Court for the parish of Orleans, No. 34,435.

BY C. E. GIRARDEY & CO., AUCTIONEERS—Nicholas J. Hoey, auctioneer—Office No. 17 Exchange place.—SATURDAY, June 24, 1871, at twelve o'clock M., at the Merchants and Auctioneers' Exchange, on Royal street, between Canal and Customhouse streets, by virtue of a judgment of the honorable the Second District Court for the parish of Orleans, rendered May 19, 1871, in the above entitled matter, will be sold by public auction, in order to effect a partition, the following described property, to wit—

TWO LOTS OF GROUND, in the First District of this city, in the square bounded by Canal, Jackson (now Gasquet), Priest and Johnson streets, designated as lots Nos. 9 and 10 on a plan annexed to an act before Theo. Guyol, notary public, on May 29, 1857. Said lots adjoin each other, and measure as follows, in American measure, to wit:

Lot No. 9 has 29 feet 8 inches and 7 lines front on Canal street, by 159 feet 10 inches and 3 lines in depth, between parallel lines; and lot No. 10 has 29 feet 9 inches and 4 lines front on Canal street, by 159 feet 10 inches and 3 lines in depth and front on Johnson street, and forming the corner of Canal and Johnson streets. The improvements on said lot comprise a small one-story house on the rear of the lots, earth and brick banquettes on both streets, and lots under a good fence.

Terms of sale—Two-eighths in cash, and the remaining six-eighths on a credit of one, two and three years in notes of the purchaser bearing interest of eight per cent per annum from date of sale until final payment, with penal clause of five per cent attorney's fees, in event of suit to enforce payment of the notes, and secured by special mortgage and vendor's lien on the property sold, and purchasers to assume payment of all taxes for the year 1871.

Acts of sale and United States stamps at the expense of the purchaser, before A. Doriocourt, notary public. my23 je3 10 17 24

BANK AND GASLIGHT STOCK.

IN THE MATTER OF THE MINOR JOHN T. Goodson.

Second District Court for the parish of Orleans—No. 34,545.

BY C. E. GIRARDEY & CO., AUCTIONEERS, Nicholas J. Hoey, Auctioneer—Office No. 17 Exchange Place—SATURDAY, June 10, 1871, at 12 o'clock M., at the Merchants and Auctioneers' Exchange, on Royal, between Canal and Customhouse streets, by virtue of an order of the honorable the Second District Court for the parish of Orleans, bearing date twenty-seventh of May, 1871, will be sold by public auction—

1. TWENTY-NINE (29) SHARES of the original stock of the New Orleans Canal and Banking Company, of New Orleans; $100 per share.

2. FOURTEEN (14) SHARES of the New Orleans Gaslight Company.

Terms—Cash on the spot in United States treasury notes. my30 31 je3 4 10

By A. Huston.

HORSES AND MULES.

Tri-weekly sales of fine saddle and harness horses work mules, top and open buggies, harness etc., at auction.

BY A. HUSTON, AUCTIONEER—OFFICE No. 199 Gravier street—Will be sold on TUESDAY, THURSDAY and SATURDAY of every week, at eleven o'clock A. M., at stables corner of Gravier and Baronne streets—

Fine saddle and harness HORSES and MARES, good work MULES, new and second-hand top and open buggies, wagons, etc. Out door sales attended to.

Terms—Cash in United States treasury notes.

je1 1m

By R. M. & B. J. Montgomery.

HOUSEHOLD FURNITURE, PIANOS, CARPETS, ETC., AT AUCTION.

BY R. M. & B. J. MONTGOMERY, AUCTIONEERS.—Will be sold on every SATURDAY, TUESDAY, and THURSDAY, at the Old Auction Mart, 87 Camp street, at eleven o'clock—

A GENERAL ASSORTMENT OF NEW and SECOND-HAND FURNITURE, such as Rosewood Mahogany and Walnut Bedsteads, Armoirs, Bureaus, Washstands, Parlor Furniture, Marble Top Centre Tables, Carpets, French Plate Mirrors, Mattresses, Cooking Stoves, etc.

ALSO.

A large invoice of Cottage Beds, Cane and Wood Seat Chairs. Also, Upright and Square Pianos of Pleyel, Favre and other manufactories.

ALSO.

AN IMMENSE STOCK OF NEW FURNITURE of all description at private sale.

Terms—Cash. no9

AUCTION SALES.

By Sheriff Sauvinet.

NEAT TWO-STORY FRAME HOUSE, CORNER OF APOLLO AND GENERAL TAYLOR STREETS, ONLY ONE SQUARE FROM ST. CHARLES STREET, WITH THREE LOTS OF GROUND.

SUCCESSION OF JOSEPH HANLON.

Second District Court for the parish of Orleans, No. 33,916.

BY NASH & HODGSON, W. I. HODGSON, Auctioneer—Office No. 170 Gravier street—On SATURDAY, June 10, 1871, at twelve o'clock, M., at the St. Charles Auction Exchange, in the basement rotunda of the St. Charles Hotel, in this city, by virtue and in pursuance of an order of the Hon. Louis Duvigneaud, Judge of the Second District Court for the parish of Orleans, dated April 24, 1871, and a supplemental order dated May 2, 1871, court docket No. 33,916, for account of the succession of Joseph Hanlon, deceased, at public auction, will be sold—

THREE VALUABLE LOTS OF GROUND, together with the buildings and improvements thereon, situated in the Sixth District of this city, in the square bounded by Constantinople, General Taylor, Bacchus and Apollo streets, designated as Nos. 15, 16 and 17. Said lots adjoin each other, and measure as follows, to wit:

Lot No. 15 measures 34 feet 4 inches and 5 lines front on Apollo street, 18 feet 10 inches and 6 lines in width in the rear, by a depth and front on General Taylor street of 122 feet 8 inches and 4 lines, of which two streets it forms the corner. Lots Nos. 16 and 17 adjoin each other, and measure each 30 feet front on Apollo street, by a depth of 121 feet 8 inches, between parallel lines, American measure, all according to a plan made by Louis H. Pilie, surveyor, dated May, 1871.

The improvements consist of a two-story frame slated house, retired from the street, with good southern exposure, and contains three rooms on each the first and second floors, all plastered. Three rooms have grates, back room down stairs used as a kitchen; galleries on the side, up and down stairs. The back yard is partly paved with brick, and has a large cistern, chickenhouse, wood and wash shed, privy, etc.; plum trees, shrubbery, etc.

Terms and conditions—One-third cash in United States treasury notes, and the balance in equal payments at one and two years, with eight per cent interest, and special mortgage from date until paid, with the clauses of "non-alienando" and five per cent for attorneys' fees to be embraced in the mortgage; the improvements to be kept insured, and the policy transferred to the vendor.

Act of sale before W. J. Castell, notary, at the expense of the purchaser, including the stamps and the taxes for the current year.

my4 13 27 je3 10

SUCCESSION OF THE LATE PETER H. OLDIS, Deceased.

Second District Court for the Parish of Orleans—No. 34,022.

BY VIRTUE OF AND IN OBEDIENCE TO AN order of sale, rendered May 25, 1871, and to me directed by the honorable the Second District Court for the parish of Orleans, in the above entitled matter, I will proceed to sell at public auction, on the premises hereinafter designated, on TUESDAY, June 13, 1871, at five o'clock P. M., for account of said succession—

THE FURNITURE AND HOUSEHOLD ARTICLES, etc., in the premises lately occupied by deceased, and situated at the corner of White and Aubry streets, in the Third District of this city, as per inventory on file.

Terms—Cash on the spot.

C. S. SAUVINET, Sheriff of the Parish of Orleans.

my30 je6 13

By J. B. Walton.

THE LOUISIANA BAKERY, WITH ALL ITS COMPLETE MACHINERY, OVENS AND APPURTENANCES; AND SIX LOTS OF GROUND, WITH THE BUILDINGS.

SALE BY ORDER OF THE SYNDIC BY CONSENT OF PARTIES FOR LIQUIDATION.

BY J. B. WALTON, AUCTIONEER—OFFICE No. 162 Common street—SATURDAY, June 10, 1871, at 12 o'clock M., at the St. Charles Auction Exchange, basement rotunda of the St. Charles Hotel, will be sold by public auction, by consent of the parties, to liquidate the affairs of Messrs. Beals & Miller—

THAT VALUABLE PROPERTY, known as the LOUISIANA BAKERY, situated in the triangle bounded by Calliope, New Levee, now Peters, Levee, now Triangle and Front streets, being at this time in active and successful operation, provided with all modern appliances, and well known to be one of the most complete establishments of the kind in the city.

The entire property consists of six lots of ground, three fronting on Triangle street, two on Calliope street, and one on Peters street, with three-story brick, slate roof buildings on the lots on Calliope and Triangle streets. For the measurement of the lots reference is made to the inventory, and to the plan on exhibition at the exchange. There is an alley in common to all the lots and other property running through from Peters street to Calliope street.

For full particulars of the property to be sold, reference is made to the inventory, in detail, of the buildings, machinery, implements and appurtenances to be seen at the office of the auctioneer, and parties proposing to buy are invited to visit the premises prior to the day of sale.

Terms—Cash in United States treasury notes; one-fourth of the amount of the adjudication to be paid on the spot.

Act of sale before J. G. Eustis, notary public, at the expense of the purchaser, including the United States revenue stamps.

The carts, mules, horses, and other movables not included in the inventory of the sale to be made as above, can be bought at private sale after the auction sale. je4

By Placide J. Spear.

IMPROVED REAL ESTATE ON ST. PHILIP STREET, BETWEEN ST. CPAUDE AND TREME STREETS.

ESTATE OF CATHERINE MOUREY, WIDOW OF MARIUS FLORY.

Second District Court for the parish of Orleans—Court Docket No. —.

BY PLACIDE J. SPEAR, AUCTIONEER—Office 46 Exchange alley—SATURDAY, July 8, 1871, at twelve o'clock M., will be sold at public auction, at the Royal Street Auction Exchange (late Bank of Louisiana), corner of Conti and Royal streets, by virtue and in pursuance to an order from the Honorable Louis Duvigneaud, Judge of the Second District Court for the parish of Orleans, dated June 6, 1871, the following described property, to wit—

A CERTAIN PORTION OF GROUND, situated in the Second District of this city, in the square bounded by St. Philip, Ursulines, Treme and St. Claude streets, making part of a lot designated by the number three, on a plan drawn by J. Pilie, late City Surveyor, and deposited in the office of Felix de Armas, late notary in this city, per act passed July 28, 1826; said portion of ground measures, in French measure, 27 feet front on St. Philip street by 120 feet in depth, bounded on one side by the other portion of said lot number three, and on the other side by the property of Victoire Willtz or assigns, together with the buildings and improvements thereon.

Terms and Conditions—One half cash, and the balance on a credit of one year, for notes divided in coupons, bearing interest at eight per cent per annum from date till paid, and secured by mortgage on said property, the buildings