New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

THE DAILY REPUBLICAN

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A liberal commission allowed to those who send us clubs of five or more.

THE COURTS.

Supreme Court.

On motion made to dismiss the appeal in the case of Blakemore, Wooldridge & Co. against the State Auditor, Governor Warmoth informed Mr. Benedict, who appeared for the Auditor, that as the Attorney General neglected the interests of the State, he determined they should be defended, and authorized him to appear on behalf of the Auditor, and thereupon furnished him with the following commission:

Whereas, certain actions have been instituted against the State Auditor in the courts of this State to inforce his compliance with act No. 93 of 1871; and other claims may arise thereunder; and

Whereas, the State of Louisiana is a party in interest therein, and has a valid defense thereto; and

Whereas, the Attorney General of the State of Louisiana is unwilling to act in such cases on behalf of the State;

Now, therefore, I, Henry C. Warmoth, Governor of Louisiana, under and by virtue of the provisions of act No. 21 of 1872, do hereby appoint the law firm of Hornor & Benedict as attorneys for and on behalf of the State of Louisiana, with power to appear in said causes for said State, and take charge of the same, as well as to join in defenses and appeals made and taken by the said Auditor of Public Accounts.

This done at New Orleans, State of Louisiana, this tenth day of April, A. D. 1872.

HENRY C. WARMOTH,
Governor of Louisiana.

CONDENSED DECISIONS.

The plaintiff in the case of E. T. Merrick against Robert McCausland, rule against J. B. Lewis, being a judicial mortgagee of the defendant, caused the land to be seized for sale, and took a rule on Lewis, who claimed to hold a conventional mortgage, to show cause why it should not be erased on the ground that it was without consideration, and if any it had, was in notes of the Confederate States.

The court below sustained the exception of the defendants in rule that the plaintiff must bring a direct action, and the rule was dismissed, when the plaintiff appealed.

The Supreme Court held it to be settled that in a similar case the judgment creditor incidentally to proceedings to sell the property may call upon those claiming privileges or mortgages to show cause why they should not be erased.

"The seizing creditor can not be required to resort to a direct action against such persons holding such privileges or mortgages." 1 An., 333.

It seems, then, that in this case the defendant should plead, and not except. Whether his answer when filed will prove to be one which, under the decision in the Delery case, will justify the lower judge in declining to pass upon the rule until the validity of his mortgage shall have been elsewhere decided, is a matter in regard to which we are not called upon to prophesy or adjudicate.

Let the judgment be reversed, the exception dismissed, and the case remanded for further proceedings at the cost of appellees. Judge Howell dissented.

Third District Court.

It seems that some time last year a planter sent by the hands of a steamboat clerk a package of money containing $300, to be delivered to a merchant in New Orleans. Upon its receipt the merchant found that the package contained but $200, whereupon he notified the consignor, who brought this suit.

Counsel contended that, inasmuch as the boat transported the money not for charge, but simply as an accommodation, she could not be held responsible as in the case of freight or any article for which a charge was to be made.

Judge Emerson decided that the boat was liable, inasmuch as she consented to receive the money for transportation, and gave judgment for plaintiff.

Sixth District Court.

The Commercial Press has brought suit in this court against the Crescent City National Bank, claiming $1008, with five per cent interest from judicial demand.

Petitioners aver that they sent their clerk to collect an account of Miller, and he settled the demand on him by giving petitioners a valid check on the defendants' bank for the above sum, he having ample means to his credit. Petitioners allege that defendants have never legally paid the check. The bank asserts it paid the check upon the indorsement of A. J. Buck, but petitioners aver that the indorsement was fraudulent, and its payment to Buck wrongful and injurious, null and void. Petitioners are damaged and injured to the amount, for which the defendant is responsible in law and equity.

Seventh District Court.

Mrs. Mary Jane Douglass, widow, brings a suit against the owners of the tug-boat Colonel Lloyd R. Aspinwall, to recover $25,000, representing that her husband, William Douglass, while discharging the duties of a river policeman, in a police yawl, at the foot of Robin street, was run down by the Aspinwall, which was racing with the Admiral, and the yawl being crushed between the Aspinwall and a barge, Douglass was so injured that he died. The petitioner claims that the accident was the result of carelessness on the part of the pilot, and that her owners are liable to her for damages through the loss of her husband.

Eighth District Court.

H. B. Stevens seeks mandamus against the State Auditor for $400 worth of warrants, claiming this amount for four months' rent of the office occupied by the Attorney General, in the year 1872. The Legislature has each year passed a bill appropriating $100 per month for the rent, but having neglected it at the last session, the Attorney General is holding his office temporarily.

John Klein has brought a petition of intervention in the case of Newman, alleging that he is holder of judicial warrants issued in the payment of salaries of the judicial officers of the State, exceeding $37,000, and that Newman (who has sought a mandamus upon the State Treasurer to compel him to pay about $90,000 of similar warrants) is not entitled to be paid by preference over intervenor.

Bill Relating to National Bank Deposits.

The following bill was introduced in the House of Representatives last Thursday, and referred to the Committee on Ways and Means. It embraces the views of the Secretary of the Treasury on the subject, which he explained before the committee yesterday:

Be it enacted, etc., That any National Banking Association which will have deposited bonds with the Treasury of the United States for the security of its circulation, in accordance with the provisions of an act entitled an act to provide national currency, secured by pledge of United States bonds, and to provide for the circulation and redemption thereof, approved the third of January, 1864, and of the several acts amendatory thereof, may, on or before the first day of January, 1873, in lieu of the bonds so deposited, deposit bonds authorized by act approved fourteenth of July, 1870, entitled an act authorizing the refunding of the national debt in equal amounts of each of the several classes of bonds authorized by said act; provided, however, that any bank which shall have deposited five per cent bonds with the Treasurer of the United States previous to the passage of this act, may subscribe for and deposit an equal amount each of said several classes of bonds for any sum additional which may be required as security for the circulation of such bank.

SEC. 2. That if any banking association or associations shall neglect to deposit bonds with the Treasurer of the United States, agreeably to the first section of this act, other banking associations may be organized in the State where any banking association or associations which shall have so neglected to make a deposit of bonds may be located, and such new associations shall have all the powers and privileges, and be subject to all the duties and liabilities of other banking associations organized under the act aforesaid; and it shall be the duty of the Controller of Currency, under regulations to be prescribed by the Secretary of the Treasury, to call in the circulation of such banking associations so neglecting to deposit bonds as provided in the first section of this act; and the circulation so called in shall, on presentation to the bank issuing the same, be redeemed and forthwith returned to the Controller of Currency to be destroyed, as provided in section twenty-four of the national currency act, and if any bank shall fail to return said circulating notes for destruction in thirty days after they shall have been redeemed, the bank so in default shall forfeit as a penalty therefor a sum equal to ten per cent on the amount of notes redeemed, which penalty shall be retained by the Treasurer out of any interest due or to become due on the bonds held by him as security of the notes of said bank; and the circulation so called in shall be awarded to such new banking association in conformity with the existing laws.

SEC. 3. That the Secretary of the Treasury be and he is hereby authorized to provide for the registering and transfer of registered bonds issued under the act approved July 14, 1870, entitled an act to authorize the refunding of the national debt in London, England, and for the payment in that city of the interest on the bonds issued under said act.

SEC. 4. That section three of an act entitled an act to authorize the refunding of the national debt, approved July 14, 1870, be amended by striking out all after the enacting clause, and inserting in lieu thereof the following: That the payment of any bonds heretofore authorized after the expiration of said several terms of ten, fifteen or thirty years shall be made in amounts to be determined from time to time by the Secretary of the Treasury, at his discretion, the bonds so paid to be distinguished and described by dates and numbers, and of the time of which the intended payment or redemption the Secretary of the Treasury should give public notice, and interest on the particular bonds so selected at any time to be paid shall cease at the expiration of three months from the date of such notice.

The Chicago *Tribune* says in reference to this bill:

Secretary Boutwell has proposed a measure which would strike the country with alarm were it not the repetition of an old demand on his part, to which Congress has once refused its assent.

The national banks of the United States own, and have deposited with the United States Treasurer, certain amount of five-twenty bonds. These bonds are deposited to secure the redemption of their outstanding circulation, and bear six per cent interest. The Secretary of the Treasury asks Congress to pass a law requiring the banks to surrender these bonds, and take in lieu thereof other bonds bearing four and a half per cent interest. The amount of these bonds on deposit varies from time to time, but the average is probably about $450,000,000. About $50,000,000 of these bonds were "syndicated" out of the banks last year, but that was apparently a voluntary surrender of six per cent in exchange for five per cents. The Secretary now asks Congress for authority to practically seize the $400,000,000 of six per cents now in the vaults of the the treasury belonging to the banks, and substitute therefor other bonds bearing four and a half per cent. The latter bonds are not saleable in the market. The law prohibits their issue at less than par, and no man will pay $1 in gold for them when he can get six per cents at the same price. Their value in the market would probably be ninety-four to ninety-five cents. The Secretary proposes to confiscate from five to six per cent of the principal of the bonds belonging to the banks, and to confiscate one-third of the interest on these bonds.

One-third or one-fourth of the bonded debt of the United States is in what are known as registered bonds, which substantially is that the United States have recorded on their books several hundred millions of dollars to the credit of various persons, to whom the government pays at stated intervals interest at the rate of six per cent. The bond itself is held by the United States. The United States have just the same power and control over these registered bonds that they have over those owned by the national banks, and the Secretary might with as much propriety ask that he be authorized to substitute four and a half per cents for the registered six per cents as he has to ask that he be authorized to make the like substitution in the case of the bonds owned by the banks.

These bonds are deposited with the Treasurer, not because there is any partnership, real or implied in their property, but simply to protect the holders of national bank notes against loss in case of the failure of the banks. The government has assumed, for the public protection, the custody of the securities, and, in case of the failure of a bank, to redeem the circulating notes from the proceeds of the sale of those securities. The goverement has no more legal control over those bonds than it has over any other bonds owned by individuals or corporations, and the proposition of the Secretary to take the six per cents, and to issue in lieu of them four and a half per cents, is nothing less than confiscation.

The law provides the mode by which the outstanding bonds may be taken up. The five-twenties of 1862, 1864 and 1865 are all redeemable at the pleasure of the government. After July, the five-twenties of 1867 will be redeemable at the pleasure of the government. The law authorizes the Secretary to issue at par new bonds, and exchange them for outstanding five-twenties, or to sell them at par and purchase five-twenties. By giving notice, that on a certain day he will pay a stated amount of these five-twenty bonds, he can compel their surrender at par. But he can not compel the owner to take another bond at par which is not worth 100 cents. We published a few days ago an elaborate table prepared by Mr. Elliott, of the Treasury Department, showing that government bonds sold at rates which yielded to investors from 5.12 to 6.08 per cent. None of them sold at rates which yielded less than five per cent. The Secretary, therefore, is fully aware that his four per cent bonds are not marketable, and that when he proposes to force the banks or any other persons to accept them in payment of six per cents, he is proposing to confiscate private property to the amount of the difference in value.

If the Secretary be permitted to execute this scheme upon the banks, the next movement will be the compulsory substitution of three per cents for four and a half per cents, and so on. Why not? What is the moral difference between taking six per cent and taking one and a half per cent? When the funding bill of 1870 was pending the Secretary pressed the matter with great importunity; it was rejected then, and it ought to be rejected now by the unanimous vote of both houses of Congress.

A characteristic anecdote is related of an out-at-elbows poet, who, by some freak of good fortune coming into the possession of a $5 bill, called to a lad and said: "Johnny, my boy, take this William and get it changed." "What do you mean by calling it a William?" inquired the wondering lad. "Why, Johnny," replied the poet. "I am not sufficiently familiar with it to take the liberty of calling it Bill."

Jacksonville, Florida, papers make the allegation that 230 alligator skins were received there the other day.

OFFICIAL.

TREATIES AND PROCLAMATIONS.

A PROCLAMATION.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

Supplemental Convention between the United States and Great Britain, concerning the Renunciation of Naturalization in certain Cases. Signed February 23, 1871; Ratified March 24, 1871; Ratifications exchanged May 4, 1871; Proclaimed May 5, 1871.

WHEREAS a convention supplemental to the convention of May 13, 1870, between the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, concerning naturalization, was concluded and signed at Washington by their respective plenipotentiaries, on the twenty-third day of February, 1871, which supplemental convention is word for word as follows:

Whereas, By the second article of the convention between the United States of America and her Majesty the Queen of the United Kingdom of Great Britaln and Ireland, for regulating the citizenship of citizens and subjects of the contracting parties who have emigrated, or may emigrate, from the dominions of the one to those of the other party, signed at London on the thirteenth of May, 1870, it was stipulated that the manner in which the renunciation by such citizens and subjrcts of their naturalization, and the resumption of their native allegiance may be made and publicly declared, should be agreed upon by the governments of the respective countries, the President of the United States of America and her Majesty the Queen of the United Kingdom of Great Britain and Ireland, for the purpose of effecting such agreement, have resolved to conclude a supplemental convention, and have named as their plenipotentiaries, that is to say, the President of the United States of America, Hamilton Fish, Secretary of State, and her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Edward Thornton, Knight Commander of the most honorable Order of the Bath, and her envoy extraordinary and minister plenipotentiary to the United States of America, who have agreed as follows:

ARTICLE I.

Any person, being originally a citizen of the United States who had previously to May 13, 1870, been naturalized as a British subject, may, at any time before August 10, 1872, and any British subject who, at the date first aforesaid, had been naturalized as a citizen within the United States, may, at any time before May 12, 1872, publicly declare his renunciation of such naturalization by subscribing an instrument in writing, substantially in the form hereunto appended, and designated as annex A.

Such renunciation, by an original citizen of the United States, of British nationality, shall, within the territories and jurisdiction of the United States, be made in duplicate, in the presence of any court authorized by law for the time being to admit aliens to naturalization, or before the clerk or prothonotary of any such court; if the declarant be beyond the territories of the United States, it shall be made in duplicate, before any diplomatic or consular officer of the United States. One of such duplicates shall remain of record in the custody of the court or officer in whose presence it was made; the other shall be, without delay, transmitted to the Department of State.

Such renunciation, if declared by an original British subject, of his acquired nationality as a citizen of the United States, shall, if the declarant be in the United Kingdom of Great Britain and Ireland, be made in duplicate, in the presence of a justice of the peace; if elsewhere in Her Britannic Majesty's dominions, in triplicate, in the presence of any judge of civil or criminal jurisdiction, of any justice of the peace, or of any other officer for the time being authorized by law, in the place in which the declarant is, to administer an oath for any judicial or other legal purpose; if out of Her Majesty's dominions, in triplicate, in the presence of any officer in the diplomatic or consular service of Her Majesty.

ARTICLE II.

The contracting parties hereby engage to communicate each to the other, from time to time, lists of the persons who, within their respective dominions and territories, or before their diplomatic and consular officers, have declared their renunciation of naturalization, with the dates and places of making such declarations, and such information as to the abode of the declarants, and the times and places of their naturalization, as they may have furnished.

ARTICLE III.

The present convention shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty, and the ratifications shall be exchanged at Washington as soon as may be convenient.

In witness whereof the respective plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at Washington the twenty-third day of February, in the year of our Lord one thousand eight hundred and seventy-one.

HAMILTON FISH.
EDW'D THORNTON.

ANNEX A.

I, A. B., of [insert abode], being originally a citizen of the United States of America [or a British subject], and having become naturalized within the dominions of her Britannic Majesty as a British subject [or as a citizen within the United States of America], do hereby renounce my naturalization as a British subject [or citizen of the United States], and declare that it is my desire to resume my nationality as a citizen of the United States [or British subject].

(Signed) A. B.

Made and subscribed to before me, ——, in [insert country or other subdivision, and State, province, colony, legation, or consulate] this —— day of ——, 187-.

(Signed) E. F.,
Justice of the Peace. [or other title]

HAMILTON FISH,
EDW'D THORNTON.

And whereas the said supplemental convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged in this city on the fourth day of May, 1871, by Hamilton Fish, Secretary of State of the United States, and Sir Edward Thornton, K. C. B., Her Britannic Majesty's envoy extraordinary and minister plenipotentiary accredited to this government, on the part of their respective governments:

Now, therefore, be it known that I, Ulysses S. Grant, President of the United States of America, have caused the said supplemental convention to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington this fifth day of May, in the year of our Lord one thousand eight hundred and seventy-one, and of the independence of the United States of America the ninety-fifth.

U. S. GRANT.

By the President:
HAMILTON FISH,
Secretary of State.

THE NEW ORLEANS REPUBLICAN

PRINTING COMPANY'S STEAM

BOOK AND JOB

Printing Establishment,

94.....Camp Street.....94

We have purchased from George Bruce, New York, entirely new type for the REPUBLICAN.

Also from T. H. Senoir, agent, a new

CAMPBELL BOOK PRESS,

with all the late improvements, which, in addition to our previous supply of Printing Machinery, will enable us to turn out work with dispatch, and in a style that can not be excelled in the South.

We have also in operation three first-class

GORDON PRESSES

of assorted sizes. These are considered in New York the Best Presses that are made, for the rapid and superior execution of work. We employ skillful workmen, who will at all times be properly informed as to the latest and best styles of work.

We would call the particular attention of the Mercantile and Business Community to this Department of our Establishment, as we have made to it extensive additions in the very

NEWEST STYLES

OF

POSTER AND GENERAL JOB TYPE,

PRESSES, ETC.,

WHICH ENABLE US TO

EXECUTE EVERY DESCRIPTION

OF

PRINTING,

SUCH AS

MAMMOTH POSTERS,
FANCY SHOW CARDS
RAILROAD WORK,
LAWYERS' BRIEFS,
BOOK WORK,
STEAMBOAT WORK,
BUSINESS CARDS,
PROGRAMMES,
HANDBILLS,

and all kinds of MERCANTILE WORK.

The facilities we have in the way of

STEAM, CARD AND HAND PRESSES

ENABLE US TO EXECUTE WORK

RAPIDLY, NEATLY AND CHEAPLY.

RULING AND BOOK-BINDING

OF

EVERY DESCRIPTION

EXECUTED WITH DISPATCH.

STEAMBOAT PRINTING.

Steamboat Officers will find it to their INTEREST TO CALL AT OUR JOB OFFICE AND LEAVE THEIR ORDERS.

We have made special provision for Steamboat Printing, and have

NEW FONTS OF BEATIFUL TYPE

FOR

COLORED BILLS,

AS WELL AS SOME OF THE

FINEST COLORED INK TO BE HAD.

POSTERS AND HANDBILLS

IN

BLACK AND COLORED INKS,

AND OF EVERY SIZE

Our Facilities for Printing

BLANK WORK,

Are unequaled by any establishment in this city

BILL HEADS

ON ANY QUALITY OF PAPER,

Prices Accordingly.

INSURANCE POLICIES AND BLANKS.

RAILROAD TICKETS, TIME-TABLES,

In fact, all kinds of JOB PRINTING can be executed at this Office—not only with dispatch but on accommodating terms.

LEGAL NOTICES.

STATE OF LOUISIANA.

SIXTH DISTRICT COURT FOR THE PARISH OF ORLEANS—No. 3331.

ST. LEON DESTEZ VS. HIS CREDITORS.

THE CREDITORS OF ST. LEON DESTEZ ARE hereby notified to appear before Ernest Ende, Esq., notary public, on the twenty-fourth day of April, 1872, at 10 A. M., for the purpose of deliberating upon and taking under consideration the application of said St. Leon Destez for a respite; and said creditors, and all other persons interested, are notified that meanwhile all judicial proceedings against his person and property are stayed; and further, that Julien Michel, Esq., attorney at law, is appointed to represent the absent creditors

By order of the Court.

J. F. DICK, Deputy Clerk.

New Orleans, March 22, 1872. mh23 ap7 23

THE STATE OF LOUISIANA.

FIFTH DISTRICT COURT FOR THE PARISH OF ORLEANS.

HELEN McCARTHY, WIFE OF LOUIS AUGUSTE Frech, vs. Her Husband, Louis Auguste Frech—No. 3257.

I HEREBY CERTIFY THAT ON THE FIFTH day of March, 1872, judgment was rendered in this court in the following entitled suit, in the words and figures following, to wit:

Helen McCarthy, wife of Louis Auguste Frech, vs. her husband, Louis Auguste Frech—No. 3257.

On motion of T. Dronett, of counsel for plaintiff, and on producing to the court due proof of said plaintiff's demand, and the law and evidence being in her favor, it is ordered, adjudged and decreed that the judgment by default herein entered on the first instant be now confirmed and made final, and accordingly that there be judgment in favor of plaintiff, Helen McCarthy, and against defendant, Louis Auguste Frech, her husband, decreeing a separation of property and a dissolution of the community of acquests and gains heretofore existing between the said parties, and that the said plaintiff do have and recover from her said husband the sum of $1500, and costs of suit, with lien and privilege, as allowed by law to married women on the property of their husbands.

Judgment rendered March 5, 1872.

Judgment signed March 9, 1872.

(Signed) CHAS. LEAUMONT, Judge.

In testimony whereof I have hereunto set my hand and affixed the seal of the said court, at the city of New Orleans, on this eleventh day of March, in the year of our Lord one thousand eight hundred and seventy-two, and the ninety-sixth year of the independence of the United States.

mh12 27 ap12 LOUIS POWER, Clerk.

THE STATE OF LOUISIANA.

FIFTH DISTRICT COURT FOR THE PARISH OF ORLEANS.

MARIE ANDRIEU VS. HER HUSBAND—No. 3309.

I HEREBY CERTIFY THAT ON THE TWENTY-seventh day of March, 1872, judgment was rendered in this court, in the following entitled suit, in the words and figures following, to wit:

Marie Andrieu vs. her husband—No 3309.

On motion of Cotton & Levy, of counsel for plaintiff, and on producing to the court due proof of said plaintiff's demand, and the law and evidence being in her favor, it is ordered, adjudged and decreed that the judgment by default herein entered on the nineteenth instant be now confirmed and made final, and accordingly that there be judgment in favor of plaintiff, Marie Andrieu, and against defendant, Firmin Andrieu, her husband, decreeing a separation of property and a dissolution of the community of acquests and gains heretofore existing between the said parties; that the said plaintiff be authorized to transact business as a public merchant in her own name and for her own account, and that defendant pay all costs of suit.

Judgment rendered March 27, 1872.

Judgment signed April 2, 1872.

CHARLES LEAUMONT, Judge.

In testimony whereof I have hereunto set my hand and affixed the seal of the said court, at the city of New Orleans, on this tenth day of April, in the year of our Lord one thousand eight hundred and seventy-two, and the ninety-sixth year of the independence of the United States.

PHILIP POWER, JR., Deputy Clerk.

ap12 26 my12

UNITED STATES DISTRICT COURT.

DISTRICT OF LOUISIANA.

IN THE MATTER OF JOHN S. GIBBS, BANKRUPT.

In Bankruptcy—No. 1182.

WHEREAS, JOHN S. GIBBS, OF NEW ORLEANS, and district aforesaid, duly declared bankrupt under the act of Congress of March 2, 1867, has this day filed in said court a petition praying for a discharge and certificate thereof from all his debts and other claims provable under said act.

Notice is therefore given to all creditors who have proved their debts, and to all other persons in interest, that the twenty-second day of April, 1872, at 11 A. M., is assigned for the hearing of the same, and that they may then and there attend and show cause, if any they have, why the prayer of the said petition should not be granted; and further notice is given that the bankrupt will undergo an examination before Register Kellogg, on the twentieth day of April, A. D. 1872, at 11 A. M., at his office, Customhouse building.

Clerk's office, New Orleans, March 27, 1872.

mh28 ap8 12 K. LOEW, Deputy Clerk.

THE STATE OF LOUISIANA.

FIFTH DISTRICT COURT FOR THE PARISH OF ORLEANS.

MRS. HORTENSE HUPPENBAUER VS. F. HUPPENBAUR, her Husband—No. 3363.

I HEREBY CERTIFY THAT ON THE THIRD DAY of April, 1872, judgment was rendered in this court in the following entitled suit, in the words and figures following, to wit:

Mrs. Hortense Huppenbauer vs. F. Huppenbauer, her husband—No. 3363.

On motion of Wenck & Huft, of counsel for plaintiff, and on producing to the court due proof of said plaintiff's demands, and the law and evidence being in favor of plaintiff, it is ordered, adjudged and decreed that the judgment by default herein entered on the thirtieth of March, 1872, be now confirmed and made final, and accordingly that there be judgment in favor of plaintiff, Mrs. Hortense Huppenbauer, and against defendant, F. Huppenbauer, her husband, decreeing a separation of property and a dissolution of the community of acquests and gains heretofore existing between the said parties; it is further ordered that defendant pay all costs of suit.

Judgment rendered April 3, 1872.

Judgment signed April 8, 1872.

CHARLES LEAUMONT, Judge.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said court, at the city of New Orleans, on this eighth day of April, in the year of our Lord one thousand eight hundred and seventy-two, and the ninety-sixth year of the independence of the United States.

ap12 19 my5 LOUIS POWER, Clerk.

NOTICE.

IN THE MATTER OF THE INTERDICTION OF FRANCOIS L. CRAIS.

Second District Court for the Parish of Orleans—No. 34,267.

NOTICE IS HEREBY GIVEN, ACCORDING TO law, that François L. Crais has been duly interdicted by a formal judgment of this court.

ap12 20 29

IN BANKRUPTCY.

ESTATE OF JAMES RYBACK.

OFFICE OF UNITED STATES MARSHAL, District of Louisiana, New Orleans, April 6, 1872.

THIS IS TO GIVE NOTICE THAT ON THE third day of April, A. D. 1872, a warrant in bankruptcy was issued against the estate of James Ryback, of New Orleans, in the parish of Orleans, and State of Louisiana, who was 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 to choose one or more assignees of his estate, will be held at a Court of Bankruptcy, to be holden at No. 41 Exchange place, in the city of New Orleans, Louisiana, before D. Augustine, Register, on the sixteenth day of May, A. D. 1872, at eleven o'clock A. M.

S. B. PACKARD
ap7 my16 United States Marshal.

ESTATE OF JOHN J. BROWN.

OFFICE OF UNITED STATES MARSHAL, District of Louisiana, New Orleans, March 20, 1872.

THIS IS TO GIVE NOTICE THAT ON THE eighteenth day of March, A. D. 1872, a warrant in bankruptcy was issued against the estate of John J. Brown, of New Orleans, in the parish of Orleans and State of Louisiana, who was 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 to choose one or more assignees of his estate, will be held at a Court of Bankruptcy, to be holden at No. 41 Exchange place, in the city of New Orleans, Louisiana, before D. Augustin, Register, on the twenty-fifth day of April, A. D. 1872, at eleven o'clock A. M.

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

mh20 ap25

ESTATE OF FREDERIC G. CHAMBERLAIN.

OFFICE OF UNITED STATES MARSHAL, District of Louisiana, New Orleans, April 4, 1872.

THIS IS TO GIVE NOTICE THAT ON THE thirtieth day of March, A. D. 1872, a warrant in bankruptcy was issued against the estate of Frederic G. Chamberlain, of New Orleans, parish of Orleans and State of Louisiana, who was 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 to choose one or more assignees of his estate, will be held at a Court of Bankruptcy, to be holden at No. 41 Exchange place, near Customhouse street, in the city of New Orleans, Louisiana, before D. Augustin, Register, on the twenty-seventh day of April, A. D. 1872, at eleven o'clock A. M.

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

ap4 27

AUCTION SALES.

By E. A. Deslonde.

EXTENSIVE SALE OF PROPERTY

IN

THE STATES OF TEXAS AND MISSOURI,

Consisting of

LANDS IN RUSK, TITUS, LEON, WALKER, UPSHUR, DE WITT, FREESTONE AND GONZALES COUNTIES, IN THE STATE OF TEXAS,

And

A TRACT OF LAND SITUATED IN ST. LOUIS COUNTY, IN THE STATE OF MISSOURI,

AT AUCTION,

FOR ACCOUNT OF THE SUCCESSION OF THE LATE HUGH McKENNA.

Second District Court for the parish of Orleans—No. 29,412.

BY E. A. DESLONDE, AUCTIONEER—Office No. 45 Baronne street—SATURDAY, May 18, 1872, at twelve o'clock M., at the Merchants and Auctioneers' Exchange, on Royal street, between Canal and Customhouse streets, 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 February 28, 1872, docket No. 29,412, will be sold, for account of the succession of Hugh F. McKenna, deceased, the following lands and property, as hereinbelow set forth and described—

Lands in Gonzales County, Texas.

1. ONE-THIRD OF A LEAGUE OF LAND, more or less, granted to the heirs of John Cain, containing about 1476 acres, the titles of which lands were recorded June 16, 1849.

2. ONE-THIRD OF A LEAGUE OF LAND, granted to Joseph Martin, assignee of Joaquim Del Toro, the deed for which was recorded July 18, 1849.

3. ONE-THIRD OF A LEAGUE OF LAND, granted to the heirs of George Jouiminson, the deeds for which were recorded July 17, 1849.

4. ONE-THIRD OF A LEAGUE OF LAND, granted to Archibald Gibson, the title to which was recorded July 19, 1849.

5. NINE HUNDRED AND EIGHTY-ONE ACRES OF LAND, more or less, in same county, granted to Phineas James; deed for same recorded September 1, 1849.

6. THREE-QUARTERS AND LABOR OF LAND, situated in DeWitt county, Texas, known as the William W. Arrington tract, containing 3321 acres, more or less, the titles to which were recorded September 1, 1849.

7. FOUR THOUSAND SIX HUNDRED AND FIVE ACRES, more or less, in Leon and Freestone counties, Texas, granted to Gertrude Diaz, the deeds for which were recorded as follows: In Leon county, August 4, 1849; in Freestone county, August 15, 1849.

8. A TRACT OF LAND, situated in Walker county, Texas, granted to Cesario Commana, containing 1476 acres, more or less, the deeds for which were recorded June 16, 1849.

All the above lands were acquired by Hugh F. McKenna, deceased, from Ludovic Colquhoun. The title deeds and description of the lands may be seen at the office of Messrs. Hunton & Grover, No. 125 Gravier street, or at the office of the auctioneer, No. 45 Baronne street.

These lands have been represented by agents of McKenna, who attended to the payment of taxes, etc., but it is not known whether all the taxes have been paid in full.

ALSO,

THE UNDIVIDED INTEREST of the succession of Hugh F. McKenna in the following lands belonging to said succession and James S. Brender, the interest of both parties being sold, viz:

9. A TRACT OF LAND in Rusk county, Texas, part of the headright survey of John Blair, containing 570 acres, more or less.

10. A TRACT OF LAND in the same county, part of the headright survey of J. S. Barnett, containing 430 acres, more or less.

The above two tracts of land were acquired by deed of sale from the sheriff of Rusk county, Texas, dated June 1, 1852.

11. A TRACT OF LAND in Titus county, about one mile and a half east of Mount Pleasant, acquired from J. W. Witkee, by deed dated May 26, 1856, containing 206⅔ acres, more or less.

12. A TRACT OF LAND in Titus county, in Texas, part of survey of 879 acres, made out of the original survey of Wade H. Vining, acquired from E. H. Jordan, March 13, 1856, containing 279 acres, more or less.

13. A TRACT OF LAND in Upshur county, Texas, containing 640 acres, being part of the headright survey of Joseph Castleberry, acquired from James D. Todd, by deed dated May 14, 1851.

ALSO,

A CERTAIN TRACT OR PARCEL OF LAND, situated in the county of St. Louis, State of Missouri, part of what is commonly known as the Lacroix tract, United States Survey No. 1664, commencing at a point in the north line of what was formerly known as the Olive street plank road (60 feet wide), which point is twenty-six and three quarters of an arpent westwardly from the eastern line of said Survey No. 1664; thence running westwardly with the north line of said Olive street road 5¾ arpents, equal to 1106 feet and 10½ inches; thence northwardly at right angle to said Olive street road 162 feet and 6 inches to the northern line of said Survey No. 1664; thence eastwardly with said northern line of Survey No. 1664 5¾ arpents, equal to 1106 feet and 10½ inches; thence southwardly at a right angle to said northern line of said survey 162 feet and 6 inches to the place of beginning, bounded on the north by the Barrabeau tract, survey No. 1663; on the east by McPherson; on the south by the Olive street road; and on the west by James S. Brander.

This tract of land is to be sold subject to any claim of the widow of Hugh F. McKenna, Mrs. Frances McKenna. It is believed she has no legal claim to any part of this land.

Terms and Conditions of Sale—Cash in United States treasury notes on the spot. The purchasers to assume the payment of any unpaid taxes, and to bear cost of transfer of title and stamps.

ap10 13 27 my4 11 19

By Sheriff Sauvinet.

SUCCESSION OF THE LATE EMANUEL BURTHE, deceased.

Second District Court for the parish of Orleans—No. 34,317.

BY VIRTUE OF AND IN OBEDIENCE TO AN order of sale rendered September 9, 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, at the Merchants and Auctioneers' Exchange, on Royal street, between Canal and Customhouse streets, in the Second District of this city, on MONDAY, April 22, 1872, at twelve o'clock M., the following described property, to wit—

THE UNDIVIDED ONE-FOURTH IN AND TO A CERTAIN SQUARE OF GROUND, with all the improvements thereon, situated in the parish of Jefferson, in this State, comprised within Nayades, St. Patrick and Edmund streets and Clay avenue, designated as square number ninety on a plan by Nimeggar, on the twenty-fourth of January, 1834, deposited in the office of A. Chiapella, late a notary public in this city, as plan number sixty-four, containing twenty-seven lots, numbered from one to twenty, inclusive, and measuring, according to said plan, three hundred and thirty-five feet six lines front on Nayades street, two hundred and eighty-three feet ten inches front on Edmund street, three hundred and twelve feet six inches front on St.