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THE DAILY REPUBLICAN

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THE COURTS.

United States Circuit Court.

Miguel Y. Machuca vs. Louisiana State Lottery Company.—Motion for injunction denied, and the other questions in the bill reserved for further adjudication hereafter.

P. Rogers vs. tug Reliance.—New trial ordered, and judgment for libellant for $48.

Supreme Court.

In the case of Robert D. Urquhart vs. M. Carvin, Associate Justice Wyly delivered the following interesting opinion:

The plaintiff, who sued the defendant, the surety on a release bond, in his case of provisional seizure against Mary L. Green, appeals from the judgment rejecting his demand.

The plaintiff contends that the bond is an ordinary conventional obligation, and on the principle as one binds himself so shall he be bound he is entitled to recover against the defendant.

The difficulty of this theory is the doubt whether the instrument can be regarded as an ordinary conventional obligation.

How can the plaintiff demand the enforcement of a convention or contract to which he was not a party?

Where is the *aggregatio mentium* between the plaintiff and defendant?

It is not pretended that he gave the sheriff a power of attorney to contract for him, and as a public officer the sheriff was wholly without authority to make contracts of this character. It was no part of his duty to make an ordinary contract for the plaintiff.

Without authority to bind the plaintiff, how can it be pretended that the sheriff could consent for him, or, on his behalf, make a valid commutative contract with the defendant, or party for whom the defendant was security.

Viewing the bond as merely a commutative contract, we are of the opinion that the plaintiff must recover upon it, because not being a party thereto, it was not binding on him. There was no reciprocal obligation on his part. Incurring no obligation himself, there existed no commutative contract between him and the party for whom the defendant is security. Judgment affirmed.

Superior District Court.

State of Louisiana ex rel. A. Rosenberg vs. Charles Clinton, Auditor.—Application for a mandamus to compel the Auditor to receive certain legislative warrants, was refused.

Louisiana State Lottery Company vs. H. Frank Moore.—Judgment for plaintiff, injunction made perpetual, and defendant ordered to pay to plaintiff $300 damage.

The various suits of K. A. Atkinson, M. Wilkinson, T. S. Solomon, F. A. Stewart, James Giles, E. Walsh and A. M. Shenwell, against the board of school directors came up on an application for a writ of mandamus to compel the Administrator of Finance to pay the amount of judgment previously ordered against the school board in the Sixth District Court. Refused.

State of Louisiana vs. L. E. Lemairle.—Appeal granted to the Supreme Court.

Jean Cougot vs. city of New Orleans.—Plaintiff sued for damages done to his stall in Soraparu market by the said market tumbling down thereon, and was awarded $85.

Second District Court.

The following successions have been opened in this court: Henry Schlapman, Joseph Kearns, Pierre Naudet, George Hofman, Magdalena, his wife, and Magdalena Hofman, his daughter; Amelia Nairne, deceased wife of George L. Nairne; John Barry, Valentine Schamback, Jean Loustauneau.

Fourth District Court.

Judge Lynch read the following decision:

J. P. Broadwell vs. Henry Smith et al.—The plaintiff, a resident of this city, alleges that Henry Smith and ten other persons, all residents of the parish of Concordia, are indebted to him, each in a certain specified sum, the amount making altogether about $1170 50. That the said debts are due by the said parties for the payment of necessary expenses for a plantation cultivated by them during the year 1870. That there are now within the jurisdiction of this court forty bales of cotton shipped to T. L. Airey & Co., a mercantile firm of this city, in the name of W. F. Ogden; that the said cotton forms a part of the crop of the year of the plantation cultivated by said parties, and that petitioner has a privilege upon the said forty bales of cotton, or on the proceeds of sale thereof for said debt. He prays that the parties be cited to answer this demand, and that a writ of sequestration issue against the cotton or its proceeds, and that he have judgment against the defendants for the amounts claimed from each respectively, with interests and costs, and with special lien or privilege upon the property sequestered.

W. F. Ogden filed his petition as intervenor, alleging that he is owner of the cotton in controversy, and was in possession thereof at the time the same was seized by the sheriff; that said cotton was raised on his plantation in the parish of Concordia, on the terms specified in an agreement with the eleven persons aforesaid, who agreed to furnish all necessary labor for the thorough cultivation of said plantation, known by the name of "Hole in the Wall," they receiving one-half of the crop to be raised thereon; that said cotton was set apart and retained by intervenor by consent of said laborers for the supplies and advances made to them by him under the terms of said agreement prior to its shipment, and was shipped as his property, and was of the value of $50 per bale. He prays to be decreed the owner of said sequestered cotton, and entitled as such to possession thereof, and for costs. The property was sequestered by Broadwell and bonded by the intervenor, Ogden. In the case of E. J. Gay & Co. this court held that it was without jurisdiction to grant any order binding on the defendants because their domicile was in the parish of St. Landry. In the present case the defendants have their domicile in the parish of Concordia, and for this reason the court has no jurisdiction, notwithstanding that property belonging to defendants has been brought to this parish and here sequestered.

Let, therefore, the petition and demand of plaintiff and the petition and demand of the intervenor be dismissed; let the sequestration herein be set aside and dissolved, the plaintiff to pay costs of suit.

LAWS OF THE STATE OF LOUISIANA

PUBLISHED BY AUTHORITY.

No. 64.

AN ACT

To provide for a full and prompt payment of the members, officers and employes of the Metropolitan Police by authorizing the issuance of additional warrants to make up losses which may hereafter be sustained by members, officers and employes by reason of the depreciation of Metropolitan Police warrants; to make such warrants so to be issued for discount receivable for taxes, by and chargeable (pro rata) to the general corporations of the Metropolitan Police district, and to provide a penalty for refusal to receive the same, and to limit the power of the Board of Police Commissioners to issue such additional warrants.

WHEREAS, The act creating the Metropolitan Police force provided for and contemplated the payment of the members, officers and employes thereof in currency, and from a variety of causes they have not been so paid, but have been paid in paper known as Metropolitan Police warrants, which warrants have been at a discount, varying from two to forty per cent, and the price realized by the sale of said warrants is an inadequate and insufficient compensation for the arduous duties of a policeman, while it materially interferes with the efficiency of the force.

Whereas, It is but just and proper that the members, officers and employes of the said police force should be paid in full the several sums provided for by law, therefore

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That so long as the said Metropolitan Police warrants shall be at a discount in the money market of the city of New Orleans, it shall be lawful for the Board of Metropolitan Police, and they are hereby authorized and directed to issue monthly to each and every member, officer and employe of the police, in payment for services rendered, a warrant for a sum sufficient to realize in currency the amount severally due said members, officers and employes at the annual rate, as is severally provided for in sections 2281, 2285 and 2286 Revised Statutes of 1870; provided that the amount due each member, officer or employe of said police force shall be subject to the deductions for neglect of duty, disobedience of orders, etc., ordered by the Board of Police Commissioners, in accordance with section 2252 of the Revised Statutes of 1870.

SEC. 2. Be it further enacted, etc., That for the purposes of securing uniformity in the allowance for the amount of discount to which said police warrants may be subjected, the average discount of said warrants in the city of New Orleans for the last fifteen days of each month is hereby declared to be the allowance which shall be given to each member, officer and employe of the Metropolitan Police force.

SEC. 3. Be it further enacted, etc., That the sums allowed as discount to the members, officers and employes of the Metropolitan Police force shall be chargeable pro rata to the several corporations comprising the Metropolitan Police district, and the same shall become a debt against each of the said corporations, in addition to the sum assessed and made final against said corporations by the Board of Police Commissioners on the sixteenth day of October, 1872, and that in any future assessments made by the Board of Police Commissioners against the several corporations comprising the Metropolitan Police district, any discount to which said warrants may be subject shall be a legal and proper charge against the said corporations comprising the Metropolitan Police district so long as it may be necessary to issue said warrants, and no longer.

SEC. 4. Be it further enacted, etc., That all warrants for discount issued to the members and employes of the Metropolitan Police force shall be and the same are hereby made receivable for all parish and municipal licenses and taxes within the limits of the Metropolitan Police district, to wit: the parishes of Orleans, Jefferson and St. Bernard, and the cities of New Orleans and Carrollton, and that any parish or municipal officer who shall refuse to receive said warrants so issued for discount as herein provided for the payment of taxes and licenses due to either of said parishes or cities comprising the Metropolitan Police district shall, with his securities on his official bond, be liable in solido to the party or parties offering therein in all actual damages sustained by such party or parties, and in exemplary damages for at least double the amount of taxes or licenses so refused to be received; provided, that the allowance so issued in excess of the regular salary of the officers and members of the police force shall not exceed twenty per cent of such salary due.

SEC. 5. Be it further enacted, etc., That whenever the Mayors of New Orleans and Carrollton and the police juries of the parishes of St. Bernard and Jefferson shall pay in money to the State Treasurer, as provided by law, any portion of the said amount chargeable against the said corporations for police purposes and shall notify the Board of Police Commissioners of the same, it shall be duty of the said police commissioners to pay the said money, when turned over to them, pro rata to the members, officers and employes of the said police force at the next monthly settlement with the members, officers and employes of the police; provided the money in hand shall be sufficient to pay not less than ten per cent of the amount due each of the members, etc., of said police.

SEC. 6. Be it further enacted, etc., That it shall be the duty of the Board of Police Commissioners, in making their annual report to the Governor, to set forth a statement of the amount of warrants issued to the members, officers and employes of the police force for discount under the provisions of this act.

SEC. 7. Be it further enacted, etc., That all acts and parts of acts in conflict with the provisions of this act be and the same are hereby repealed.

SEC. 8. Be it further enacted, etc., That the Board of Metropolitan Police Commissioners shall have power and authority to reorganize the police force of the Metropolitan Police district by removing and dismissing such officers and men as said board may elect; provided, that the board shall reorganize the force within thirty days from and after the passage of this act.

SEC. 9. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.

Approved March 26, 1873.
(Signed) WILLIAM P. KELLOGG,
Governor of the State of Louisiana.

A true copy:
WILLIAM WELLS,
Assistant Secretary of State.

No. 59.

JOINT RESOLUTION.

WHEREAS, A bill has been introduced [introduced] in Congress rebunding the tax paid on cotton; therefore, be it

Resolved by the Senate and House of Representatives in General Assembly convened, That this is preeminently a just and wise measure, and that we urge upon Congress the prompt enactment of this law.

Resolved, That a copy of this joint resolution be forwarded by the Governor, under the seal of the State, to our Senators and Representatives in Washington, to be laid by them before their respective bodies.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.

Approved February 21, 1873.
(Signed) WILLIAM P. KELLOGG,
Governor of the State of Louisiana.

A true copy:
P. G. DESLONDE,
Secretary of State.

AUCTION SALES.

By S. Guinault.

SEVERAL COTTAGES ON ESPLANADE GRAND Route St. John, and near the Fair Grounds—Six Tracts of Land fronting Bayou St. John and the Shell Road near the Toll Gate, known as the "Folly"—A Lot of Ground fronting on Esplanade street—Several Vacant Lots and a Cottage on Washington street—Two Lots and Buildings fronting Palmyra street, and several Stocks of different Associations.

SUCCESSION OF EMILE JORLEBOROSSA.

Second District Court for the Parish of Orleans—No. [illegible].

BY S. GUINAULT, AUCTIONEER—Office corner of Exchange alley and Bienville street.—SATURDAY, April 26, 1873, will be sold at twelve o'clock M., at the Merchants and Auctioneers' Exchange, on Royal street, between Canal and Customhouse streets, by virtue of an order from the honorable the Second District Court for the parish of Orleans, dated March 24, 1873, the following property belonging to the aforesaid succession, to wit:—

Real Estate.

1. TWO CERTAIN LOTS OF GROUND, together with the buildings and improvements thereon, situated in the First District of this city, in square No. 29, bounded by Palmyra, Common, Prieur and Johnson streets, designated by Nos. 13 and 14 on a plan drawn by J. Pilie, surveyor, dated May 1, 1849, and deposited in the office of A. L. McCay, late notary in this city, said lots having American measure, the following dimensions, viz: Lot No. 13, 27 feet 6 inches front on Palmyra street, by 102 feet 8 inches 10 lines in depth between parallel lines; and lot No. 14, 27 feet 6 lines front on Palmyra street, by 102 feet 8 inches 2 lines in depth between parallel lines. Together with a one-story frame house, building in the yard of four rooms and side gallery, and another two-story frame house of four rooms and gallery, cisterns, privy, etc.

2. THE ONE HALF OF A CERTAIN SQUARE OF GROUND, situated in suburb Jackson, in the Second District of this city, in square bounded by St. Louis, Bernadotte, Conti and St. Patrick streets, being composed of lots Nos. 8, 9, 10, 11, 12 and 13; the half of lot No. 7, the half of lot No. 14, on a plan drawn by J. D. De Pouilly, architect, and deposited in the office of Joseph Cuvillier, notary public of this city, on the twenty-first day of January, 1835. Said half square of ground measuring altogether 296 feet front on Conti street, 141 feet 8 inches front on St. Patrick street, and 141 feet 5 inches front on Bernadotte street.

3. FOURTEEN LOTS OF GROUND, together with the buildings and improvements thereon, situated in the same district, in the suburb bounded by Bienville, Conti, Bernadotte and St. Patrick streets, designated by Nos. 1 to 12, inclusively, and 25 and 26, on a plan made by A. DeYoung, architect, on the thirteenth of October, 1831, and deposited in the office of A. Mazureau, notary public in this city; lots Nos. 1 to 10, inclusive, adjoin each other and measure each 30 feet front on Bienville street by 100 feet deep, lot No. 1 forming the corner of Bernadotte street, lot No. 10 forming the corner of St. Patrick street. Lots Nos. 11 and 12 measure each 27 feet 9 inches front on Bernadotte street by 150 feet deep, and lots Nos. 25 and 26 measure each 27 feet 6 inches front on St. Patrick street by 150 feet deep, together with a house of two rooms, built at the corner of Bienville and St. Patrick streets.

4. A LOT OF GROUND, situated on Esplanade street, in the Third district of this city, designated by No. 2, in square bounded by Esplanade, White, Lepage, Seventh and Washington streets, measuring 178 feet 5 inches front on Esplanade street by a depth of 189 feet 8 inches 6 lines on the side of lot No. 1 and on the rear line of lots Nos. 20 and 21, and 199 feet 10 inches 3 lines on the side of lot No. 3, and 200 feet 10 inches 1 line on the rear line, the whole in conformity to a plan deposited in the office of the sheriff of the city of New Orleans.

5. A CERTAIN PIECE OR PORTION OF GROUND, together with the buildings and improvements thereon, situated in suburb Pontchartrain Second District of this city, in square bounded by Grand Route St. John, Florida, Pierce and Mystery streets. Said piece or portion of ground is designated by the letter A, on a sketch or plan drawn by A. D. Hennequin, deputy surveyor, and annexed to an act of sale passed in the office of E. Barrett, notary public in this city, and measures 229 feet 10 inches 6 lines front on said Grand Route St. John, 189 feet 10 inches 3 lines in depth and front on Mystery street and 229 feet 10 inches 6 lines on Florida street. Together with a one-story frame house, having four rooms, front and back galleries and two cabinets, and another two-story frame house of six rooms and gallery, the whole slate-roofed, two cisterns, privy, etc.

6. A CERTAIN PIECE OR PORTION OF GROUND, together with the buildings and improvements thereon, situated in suburb Pontchartrain, in the Second District of this city, in square bounded by Mystiny, Florida, Pierce streets and Grand Route St. John, measuring 90 feet 3 inches 8 lines front on Florida street, by 79 feet 11 inches 11 lines in depth between parallel lines. Said lot or portion of ground forming part of the property designated by the letter B, on a plan or sketch made by A. D. Hennequin, and designated by the letter A, said sketch annexed to an act passed before E. Barrett, on the eleventh of May, 1866. Also another piece or portion of ground, together with the buildings and improvements thereon, situated in the same suburb and square, designated by the letter B, on a sketch drawn by J. A. D'Hennequin, surveyor, on the said twenty-eight April, 1866, above cited, according to which said piece or portion of ground measures 79 feet 7 inches front on Grand Route St. John, by a depth of 189 feet 5 inches 11 lines, and 79 feet 7 inches on the rear line, more or less, together with a one-story frame house, slate roofed, of four rooms, double kitchen and gallery, cistern, privy, etc.

7. A CERTAIN PIECE OR PORTION OF GROUND situated in the Third District of this city, on the right bank of Bayou St. John, known as the Folly, and divided into squares, at a numbered from Nos. 1 to 6.

Lot No. 1 measures about 157 feet front on Bayou St. John and shell road, 178 feet on the rear, 309 feet, more or less, on the line toward Bertrandade street, and 300 feet, more or less, on the side dividing it from lot No. 2.

Lot No. 2 measures about 129 feet front on the shell road, 126 feet on the rear, 300 feet more or less, on the line dividing it from lot No. 1, and 300 feet, more or less, on the line dividing it from lot No. 3.

Lot No. 3 measures about 117 feet front on the shell road, or Bayou St. John, 124 feet 6 inches 2 lines on the rear, 300 feet, more or less, on the line dividing it from lot No. 2, and 300 feet, more or less, on the line dividing it from lot No. 4.

Lot No. 4 measures about 117 feet front on the shell road, or Bayou St. John, 124 feet 6 inches 2 lines on the rear, 300 feet, more or less, on the line dividing it from lot No. 3, and 300 feet, more or less, on the line dividing it from lot No. 5.

Lot No. 5 measures about 108 feet front on the shell road or Bayou St. John, 115 feet 6 inches 2 lines on the rear, 245 feet, more or less, on the line dividing it from lot No. 4, and 245 feet, more or less, on the line dividing it from lot No. 6.

Lot No. 6 measures about 108 feet front on the shell road or Bayou St. John, 115 feet 6 inches 2 lines on the rear, 245 feet, more or less, on the line dividing it from lot No. 5, and 245 feet, more or less, on and opposite side.

She tract, known as the Folly, is beautifully improved with a handsome pavilion, having a circular gallery, store rooms, stoves, privy, cistern, pigeon house, chicken house, there are also two large fish ponds, having each about 60 feet in length, with bridges crossing and sidewalks, the lands are thickly inclosed with a variety of fruit trees, such as orange, peach, plum, flowers and a number of large shade trees. The whole property is merely fenced and in splendid order.

8. TWO CERTAIN LOTS OF GROUND, together with the buildings and improvements thereon, Second District of this city, in square bounded by Marais, Dauphine, Barracks and Burgundy streets, designated by Nos. 4 and 5 on a plan drawn by L. J. Pilie, on the twelfth of September, 1836, and deposited in the office of C. Pollock, late notary of this city. Said lots measuring each, French measure, 30 feet front on Grand Route St. John, 120 feet in width in the rear, by the following depths, viz: Lot No. 4 100 feet 11 inches on the division line of lot No. 3, and 101 feet 2 inches 6 lines on the division line of lot No. 4, and lot No. 4 101 feet, inches 6 lines on the division line of lot No. 3, and 101 feet 2 inches on the division line of lot No. 5. Together with a one-story cottage containing three rooms, front gallery, storeroom, double kitchen, cistern, privy, etc., the whole slate-roofed, with a handsome garden.

9. TWO CERTAIN LOTS OF GROUND, in the same square, designated by Nos. 1 and 6, on a plan of Depouilly, December 24, 1824, and deposited in the office of A. Chiapella, late notary in this city, said lots measuring each 30 feet front on Grand Route St. John, 30 feet in width in the rear, by the following depths: Lot No. 1 [illegible] feet 7 inches on the division line of lot No. 4 and 105 feet 7 inches on the division line of lot No. 6, and lot No. 6 [illegible] feet 7 inches on the division line of lot No. 1 and 105 feet 7 inches on the other side.

10. TWO CERTAIN LOTS OF GROUND, in the same square adjoining the preceding and designated as Nos. 7 and 8, according to the above plan and measuring each 30 feet 7 inches front on Grand Route St. John, 30 feet in width in the rear, by the following depths: Lot No. 7 105 feet on the division line of lot No. 8 and 105 feet 4 inches on the division line of lot No. 6, and lot No. 8 [illegible] feet 4 inches on the division line of lot No. 7 and lot No. 8 [illegible] inches on the other side.

11. TEN CERTAIN LOTS OF GROUND, situated in the suburb St. John, Second District of this city, designated by Nos. 1 to 10, inclusive, on a sketch drawn by J. A. D'Hennequin, deputy city surveyor, on the seventeenth of November, 1871, according to which sketch, the ground is having in American measure, the following dimensions, to wit:

Lots Nos. 1 to 6, in front, measure each 30 feet 11 inches 5 lines front on Washington street, by 100 feet deep, between parallel lines. Lot No. 7 30 feet 11 inches 5 lines front on Washington street, 100 feet 8 inches 4 lines in width in the rear, on the line dividing it from lot No. 8, and 100 feet 1 inch, more or less, on the line dividing it from lot No. 6. Lot No. 8 measures about 30 feet 11 inches 5 lines on the rear, 100 feet, more or less, on the line dividing it from lot No. 7, and 100 feet, more or less, on the line dividing it from lot No. 9. Lot No. 9 measures about 30 feet 11 inches 5 lines on the rear, 100 feet, more or less, on the line dividing it from lot No. 8, and 100 feet, more or less, on the line dividing it from lot No. 10. Lot No. 10 measures about 30 feet 11 inches 5 lines on the rear, 100 feet 8 inches 4 lines in depth between parallel lines, and lot No. 10, 64 feet 2 inches front on Second street 104 feet in depth, deep on the line of lot No. 4 and 2 feet 4 inches wide on the rear, more or less, and less, according to a plan made by A. Le Breton surveyor, dated February 8, 1872.

Terms—Cash, the price of adjudication payable one-half cash, and the balance in six and twelve months, for notes secured by mortgage, with vendor's lien and privilege, bearing eight per cent interest from date to payment, in case of suit the purchasers to pay five per cent lawyers' fees on the amount sued on; the buildings to be insured and policy transferred and the purchasers to assume the taxes for the year 1873 over and above their bids.

Act of sale before A. Hero Jr., notary public, at the expense of the purchasers. mh26 ap5

SUCCESSION OF R. HACKER.

BY CHARLES E. FORTIER, AUCTIONEER—Office No. 32 Exchange alley.—FRIDAY, March 29, 1873, at 10:30 A. M., will be sold on the premises, on St. Philip street, between Johnson and Galvez streets, by order of the Second District Court for the parish of Orleans—

ONE CARRIAGE.

Terms—Cash on the spot. mh25 2t

VALUABLE PROPERTIES IN THE SECOND DISTRICT.

SUCCESSION OF ELIZABETH HATZ DECEASED WIFE OF HENRY WEISER.

BY CHARLES E. FORTIER, AUCTIONEER—Office No. 32 Exchange alley.—SATURDAY, April 26, 1873, at twelve o'clock M., at the Auction Exchange, on St. Louis street, between Royal and Chartres streets, will be sold at public auction, by virtue of an order of the Hon. A. L. Tissot, Judge of the Second District Court of the parish of Orleans, dated March 5, 1873—

1. A CERTAIN LOT OF GROUND, situated in the Second District of this city, in square No. 1, bounded by Customhouse, Johnson, Bienville and Galvez streets, designated by the letter A, and measuring 30 feet 7 inches front on Customhouse street by a depth and front on Galvez street of 70 feet 7 inches, together with the buildings and improvements thereon. This property is leased until September 1, 1873, with the privilege on two years more at $[illegible].

2. A CERTAIN LOT OF GROUND, in the same square as the above, designated by the letter B, and measuring 30 feet front on Customhouse street by 70 feet 7 inches in depth, together with the buildings and improvements thereon. This property is leased until September 1, 1873, with the privilege on two years more at $[illegible].

3. A CERTAIN LOT OF GROUND, in the same square as the above, designated by the letter C, and measuring 30 feet front on Customhouse street by 70 feet 7 inches in depth, together with the buildings and improvements thereon. This property is leased until September 1, 1873, with the privilege on two years more at $[illegible].

4. A CERTAIN PIECE OF GROUND, in the same square as the above, designated by the letter D, and measuring 30 feet front on Customhouse street by 70 feet 7 inches in depth, together with the buildings and improvements thereon. This property is leased until September 1, 1873, with the privilege on two years more at $[illegible].

5. A CERTAIN LOT OF GROUND, in the same square as the above, designated by the letter E, and measuring 30 feet front on Customhouse street by 70 feet 7 inches in depth, together with the buildings and improvements thereon. This property is leased until September 1, 1873, with the privilege on two years more at $[illegible].

6. A CERTAIN LOT OF GROUND, in the same square as the above, designated by the letter F, and measuring 30 feet front on Customhouse street by 70 feet 7 inches in depth, together with the buildings and improvements thereon. This property is leased until September 1, 1873, with the privilege on two years more at $[illegible].

Terms of sale—Cash, the purchasers to assume the taxes for the year 1873 and 1874, over and above the price of adjudication.

Acts of sale before A. E. Benvenu, notary public, at the expense of the purchasers. mh26 2t ap4 11 18 27

By Charles E. Fortier.

SUCCESSION OF WIDOW HENRY CARTER.

BY CHARLES E. FORTIER, AUCTIONEER—Office No. 32 Exchange alley.—SATURDAY, April 19, 1873, at twelve o'clock M., at the St. Louis Auction Exchange, on St. Louis street, between Royal and Chartres streets, will be sold, by virtue of an order of the Hon. A. L. Tissot, Judge of the Second District Court for the parish of Orleans, dated March 5, 1873—

A LOT OF GROUND, with the buildings and improvements thereon, situated in the town of Mebongh, parish of Orleans, designated by the No. 4 on a plan drawn by Pilie, dated December 7, 1842, and measuring, French measure, 40 feet front on Madison street, by 120 feet in depth.

Terms—Cash on the spot.

Act of sale before W. H. Seymour, notary public, at the expense of the purchaser. mh26 2t ap2

AUCTION SALES.

By S. Guinault.

one side, and 67 feet 10 inches in depth more or less on the other side. The improvements consist in a one-story frame house covered with slates, and containing four rooms, double kitchen with front gallery, two cabinets, cistern, privy, etc.

14. TWO CERTAIN LOTS OF GROUND, together with the buildings and improvements thereon, designated by Nos. 5 and 6, on square bounded by Grand Route St. John, Esplanade, Third and Second streets; said lots measuring each 31 feet 11 inches 5 lines front on Grand Route St. John, same width in the rear, by the following depths: Lot No. 5 106 feet 2 inches on the division line of lot No. 4, 108 feet 5 inches 6 lines on the division line of lot No. 6, and lot No. 6 108 feet 5 inches 6 lines on the division line of lot No. 5, and 108 feet 9 inches 5 lines on the division line of lot No. 7. The improvements consist of a handsome cottage of six large rooms, two of which are in the attic, rear gallery, with two cabinets, double kitchen, with front gallery, two cisterns, shed, privy, etc. The whole slate roofed. The gas is introduced in all the rooms of the main house.

15. TWO LOTS OF GROUND, situated in the same square adjoining the above, designated by the Nos. 7 and 8, having each, American measure, 31 feet 11 inches 5 lines front on Grand Route St. John, the same width in the rear, by a depth of 108 feet 9 inches 5 lines on the division line of lot No. 6 and 108 feet 1 inches, more or less, on the division line of lot No. 9, together with a handsome cottage of six large rooms, two of which are in the attic, rear gallery with two cabinets, double kitchen with front gallery, storeroom, two cisterns, shed, privy, etc., the whole slate-roofed. The gas is introduced in all the rooms of the main house.

16. TWO LOTS OF GROUND, situated in the same square adjoining the above, designated by the Nos. 9 and 10, having each, American measure, to wit: Lot No. 9, 31 feet 11 inches 5 lines front on Grand Route St. John, the same width in the rear, by 109 feet 3 inches, more or less, on the division line of lot No. 8, and 109 feet 8 inches 6 lines on the division line of lot No. 10, and lot No. 10, 25 feet 11 inches front on Grand Route St. John, closing at an obtuse angle, 7 feet 2 inches front on Esplanade street, by a depth of 109 feet 8 inches 6 lines on the division line of lot No. 9, and 105 feet 6 inches on the other side line, and 21 feet 11 inches 5 lines in width in the rear, together with a handsome cottage of six large rooms, two of which are in the attic, rear gallery with two cabinets, double kitchen with front gallery, storeroom, two cisterns, shed, privy, etc., the whole slate roofed. The gas is introduced in all the rooms of the main house.

17. A CERTAIN PIECE OF GROUND, situated in suburb Pontchartrain, Second District of this city, in square bounded by Grand Route St. John, Esplanade, Third and Washington streets, and Bayou St. John, designated on a plan made by Charles G. de Lisle, surveyor, designated by the letter C, and containing three arpents, measuring together 3 feet 10 inches front on Grand Route St. John, by a depth of 165 feet on the line dividing it from lot No. 1, 163 feet ten inches on the opposite side; together with the buildings and improvements thereon, consisting of a large frame house, containing hall in the centre, six large rooms; the improvements in the yard consist of a frame house, containing four rooms, two side galleries, two cisterns, also a bath room, building of 3 rooms, privies, cisterns etc. One side of the lot is beautifully improved with a flower garden. The main building is covered with slate, and is protected with a lightning rod. The gas is introduced in all the rooms of the main house.

18. In the same square adjoining the preceding a CERTAIN PORTION OF GROUND, designated by letter D on the same plan containing four lots, measuring together 127 feet 9 inches front on Grand Route St. John, by 163 feet 10 inches in depth on one side and 162 feet 4 inches on the opposite side. Said portion of ground being in a high state of cultivation, and containing a variety of splendid flowers, and is beautifully arranged.

The whole agreeably to plans drawn by Charles G. de Lisle, to be exhibited at the exchange several days previous to the day of sale.

Stocks.

Five shares in the New Orleans Credit Fonciere Association of this city of $50 each.

Five shares of the Louisiana Jockey Club of $100 each.

Five shares of the Salamander Insurance Company of this city, upon which the sum of $50 have been paid.

Twelve shares in the Mechanics' and Agricultural Fair Association of Louisiana of $25 each.

One share of the Opera Association of New Orleans of $500.

One share of La Variete Association of this city of $100.

Terms and conditions—For the stocks cash. For the property mostly described, situated on Palmyra street, the purchaser to assume the payment of $[illegible], due to the minors of P. Nysing, as follows, to wit: To Frederick A. Nysing, on the twenty-first July, 1870, the sum of $[illegible]; to William A. Nysing, on the seventh September, 1878, the like sum of $[illegible]; and to Peter C. Nysing, on the twenty-first July, 1884, a like sum of $[illegible]; the above three payments to bear six per cent interest per annum, payable semi annually. And the balance of the price of adjudication payable one-half cash, and the remainder at a credit of one year, with interest at the rate of eight per cent per annum from date till paid.

For lots Nos. 3 and 4, tenthly described, also fronting on St. John street, the purchaser to assume the payment of the sum of $[illegible], due to the minors Conti, as follows, viz: To Ernest Conti, on July 29, 1870, the sum of $[illegible]; to Felicite Conti, on April 12, 1876, a like sum of $[illegible]; to Henriette Conti, on February 6, 1880, a like sum of $[illegible], and to Bella Conti, on May 7, 1882, a like sum of $[illegible]; the above payment to bear interest at the rate of eight per cent per annum payable semi annually, and the balance payable one-half cash and the remainder at a credit of one year, with eight per cent interest per annum till paid.

For all the remaining landed property secondly, thirdly, fourthly, fifthly, sixthly, seventhly, eighthly, eleventhly, twelfthly, fourteenthly, fifteenthly, sixteenthly, seventeenthly, and eighteenthly described—one third payable cash and the balance at a credit of one and two years, all for notes bearing interest at the rate of eight per cent per annum from date till paid, and secured by mortgage and privilege of vendor on the property sold, all the buildings erected on the lots and granted to be kept insured by the purchasers, to the true value and policies of insurance transferred to the vendors until the final and entire payment of the notes furnished, and in case of failure of the purchasers to pay any of the notes at maturity they shall pay the lawyer's fees in case of suit at the rate of five per cent on the amount sued.

Acts of sale before A. E. Benvenu, notary public, at the expense of the purchasers. mh26 2t ap4 11 18 27

AUCTION SALES.

By Van Solingen & Carpenter.

SALE OF WAREHOUSED AND UNCLAIMED GOODS.

CUSTOMHOUSE, New Orleans, March 17, 1873.

BY VAN SOLINGEN & CARPENTER, Auctioneers.—The following goods having remained in warehouse over three years, or unclaimed over one year, will be sold at public auction, in accordance with the regulations of the Treasury Department, at warehouse No. 1, Customhouse building, on THURSDAY, April 10, 1873, at 10:30 A. M.—

DATE.	VESSEL.	MASTER.	FROM.	WAREHOUSE & SURVEYOR.	MARKS AND NUMBERS.	CONTENTS.
				WAREHOUSED OVER THREE YEARS.		
Dec. 20, 1869	Maggie E. Gray	Pillsbury	Havre	Lakemann		2 pipes Gin
Feb. 17, 1870	Johanne Marie	Gustavson	Bordeaux	F. Crescentia		3 quarter casks Port Wine
				UNCLAIMED.		
Jan. 11, 1871	St. Louis	Sellan	Liverpool	S. W. A. Co.		1 bbl White Earthenware
Jan. 12, 1871	Bohemia	Bohn	Liverpool	H. Ec.		1 case Feather Bedding
Jan. 12, 1871	Statesman	Williamson	Liverpool	H. Ec.		1 case Printed Calico
Jan. 12, 1871	Frankfort	Dunning	Marseilles	G. O.		1 case Printed Labels
Jan. 12, 1871	Lisbon	Gilbreth	Bordeaux	Order		1 box Cordial
Jan. 12, 1871	Germania	Smith	Liverpool	Order		4 cases Sweet Wine
Jan. 12, 1871	St. Louis	Smith	Liverpool	Order		10 cases Cotton Machinery
Jan. 12, 1871	Saxonia	Thompson	Havana	Order		2 cases and 2 packages Cotton Machinery
Jan. 12, 1871	Hale Boat	Pennington	Havana	A. Sauter		2 cases Cigarettes, samples of Cutlery and False Jewelry
Feb. 6, 1871	Sun	Franko	Bremen	Order		1 bbl and 1 case Cocoanuts and Preserves
Feb. 6, 1871	Mary Wells	Weeks	Liverpool	Order		1 case Iron Machinery
Feb. 6, 1871	Cambria	Sallie	Liverpool	No mark		7 bars Railroad Iron and 21 Fish Plates
Feb. 6, 1871	Vandalia	Fischer	Hamburg	F. W.		1 case Guava Jelly and Paste
Feb. 6, 1871	Vandalia	Fischer	Hamburg	F. W.		1 case Lemonade Powders and Medicinals
Feb. 6, 1871	Vandalia	Fischer	Hamburg	F. W.		2 cases Lampblack, 1 Iron Bedstead
Mch. 11, 1871	Liberty	Reed	Havana	A. Maxwell		2 cases Guava Jelly and Paste

Terms—Cash in United States currency.

P. F. HERWIG,
Special Deputy