New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

THE DAILY REPUBLICAN

May be had of the following dealers:

George Ellis, opposite the Postoffice.

C. C. Haley, No. 19 Commercial place.

C. G. D. Holle, No. 61 Exchange place.

A. Simon, St. Louis street, between Royal street and Exchange alley (under St. Louis Hotel).

James Ennis, Pontchartrain railroad depot, Third District; also at depot, foot of Lafayette street, First District.

Variety news stand, No. 38 Dauphine street, between Customhouse and Bienville streets.

AUCTION SALES THIS DAY.

BY R. M. & R. J. MONTGOMERY, at 11 o'clock at No. 37 Natchez street, new and second-hand furniture, etc.

BY SHERIFF HARPER, at 12 o'clock, at Merchants and Auctioneers' Exchange, undivided half of lot of ground and buildings corner of Commerce and Girod streets; six lots of ground on Broad street; nine lots of ground on Maine, Bellechasse and Fourth streets, steamboat Butler. At 10½ o'clock, at No. 22 St. Louis street, furniture. At 5 o'clock, corner of Magazine and Delord streets, the contents of an undertaker's establishment.

BY C. E. GIRARDEY & CO., at 11 o'clock, on Delaronde street, Algiers, household furniture.

Local Intelligence.

A REPEATER.—Constance Readon would make a good voter, if as successful at balloting as he is at drinking. He found his way inside the first precinct stationhouse twice within twenty-four hours, each time so full of corner grocery whisky that even a short corkscrew would easily reach the last half dozen drinks in his overflowing throat. The recorder gave him something more than a lecture the last time.

The lively young men who were marched off of St. Charles street Saturday evening as dangerous and suspicious characters, will not have a hearing until the eleventh instant.

LAID.—An egg, quite as large as those manufactured by hens, has been laid on our table, having been forwarded by a young lady at New Harmony, Indiana. The peculiarity about it is that it was dropped by a pigeon, and bears lines on it which greatly resemble writing. The word "lock" is very plain.

Two soiled doves, whose cotes are on Gasquet street, on Sunday evening were out indulging in a little proper and unusual recreation by taking a buggy ride. When near the engine house of No. 14, Common street, the steamer was starting out to a fire, when the noise and smoke frightened the horse. Becoming uncontrollable the beast ran away, throwing the poor girls to the ground, bruising them badly. One of them had her jaw broken, and was otherwise so severely injured that it will be strange if she ever recovers.

Straw and Panama hats are quite common on the streets.

The steamboat Thompson Dean, in yesterday, brought down more than seventy passengers from the Ohio river.

A. Walker and William Colbert, young enough to know better, were yesterday collared by Sergeant Gray for stealing silverware from a house on Thalia, near St. Charles street.

Coroner Gaudette yesterday held an inquest on the body of Jean Baptiste, forty years old, who died of cholera, on Metairie ridge, above the New canal.

THE RECORDERSHIP.—The case of Houghtch vs. Gernon, concerning the recordership of the First District, will be settled in the Superior Court to-day, probably.

The new petty jury will appear in the Criminal Court to-day.

There exists a complaint that there was too much light yesterday on Howard, between Melpomene and Terpsichore streets, as the lively lamplighter had failed to perform his extinguishing duty.

Biddy Coleman waited till she was fully sixty years old before she committed suicide, and then became so desperate as to throw herself into the dank water of the Old basin, near Marais street. The jury of inquest declared it a case of self-murder.

THE NEW GRAND JURY.—This important body, to serve for the months of April, May and June, is composed of the following named gentlemen: E. R. Poole, foreman; E. R. May, R. M. Johnson, J. Ferbosse, Thomas Reynolds, Peter Branch, F. J. Bulger, John O'Neil, J. Andrews, James Coyle, J. M. Cressy, Anthony Joseph, Eugene Meilleur, J. B. Wesson, James Davis, S. P. Solomon.

Handling self-cocking firearms safely is an art which few men possess, as George Stein, at No. 368 Peters street, will vouch for. When holding a Remington in his hands he accidentally pulled the trigger, and there was a discharge, the bullet entering his breast, inflicting a wound that may prove fatal. He was sent to the Charity Hospital.

MORE FIRES.—About one o'clock yesterday morning fire was discovered in a one story frame house, corner of Chartres and Roynes streets, and before the building was consumed an adjoining house caught and was burned down. The first house belonged to Mr. David Douglas, and was insured for $1500. The other house belonged to Mr. Adolph Jones, who occupied it; insured for $300. The origin of the fire is unknown.

At four o'clock Sunday evening fire broke out in a kitchen attached to the house No. 321 Delord street, and quickly extended to the main building. It belonged to the estate of W. W. Kilpatrick, and was occupied by Mr. Myers as a bakery. The flames extended to No. 326, occupied by William Wagner as a coffeehouse, consuming the building and most of the stock; insured for $1200. No. 328, a two-story frame, property of Peter Markey, was burned; insured for $3000. No. 330, owned and occupied by Mrs. Bruning as a residence, was badly damaged; insured for $1500.

The firemen were unable to obtain a supply of water until the last mentioned house was burned, although so near the New basin. Immense piles of lumber and wood so completely blocked the space between the basin and the street that the firemen found it very difficult to gain access to the water. This blockade caused much loss of property, and it is hoped we will never have cause to make another complaint on this subject. This is the third or fourth time that Chief Engineer O'Connor has met with a like difficulty. Let spaces be kept well cleared in case of fire or other incident.

PERSONAL.—Mr. Thomas Fleming, marshal of Philadelphia Fire Company No. 14, started for Ireland last Saturday, on a pleasure trip. Among his ship stores were twenty-five gallons of something stronger than water, which, in all probability, the excise man will never smell, taste or charge with duty. The voyage will consume seventeen days and all the spirits.

ALMOST A ROW.—While the Delord street fire was burning Sunday evening the firemen were compelled to pull down piles of wood, and at the same time keep sharp eyes not to injure some of the numerous people who would get in the way. In pulling down one of the piles a stick struck a man and another a lad, and it is said the man struck or attempted to beat the lad. On the instant several men "went for" the man, whose name is Stephen Winn, and had not Chief O'Connor and policemen made great efforts to rescue Winn he would probably have been lynched, as it was thought that the boy was killed. Accused was locked up, remanded to await a report upon the lad's condition.

THE PISTOL.—Between nine and ten o'clock Sunday morning Joseph Albert quarreled with some one in a den kept by Peter Vincent, at the corner of Bienville and Franklin streets, when he drew his revolver to show that he held the balance of power or to settle his opponent. The pistol was discharged, the bullet hitting Joseph Lorraine in his stomach, making a serious wound. Albert was arrested, but the other man, Isaac Foster, escaped. Lorraine was sent to his home, corner of Columbus and Claiborne streets, and attended by Dr. Formento, who declined to give a decided opinion on the case. The quarrel between Albert and Foster was about a bet on a game of monte. Albert and Lorraine are monte dealers in the house.

R. Baker and Jessie Woods had a little falling out Sunday morning before going to church, during which Baker caught a bit of flying lead in his wrist, sent from a pistol by Woods, at the corner of Dryades and Perdido streets. Woods was arrested, but Baker refused to prosecute.

The picnic of Home Hook and Ladder Company in Delachaise Garden, Sunday, was quite as successful as its friends desired. The amusements were of a rational kind, and all who attended found satisfaction in the numerous diversions.

INQUEST ON JOHN LYNCH.—Coroner Folwell, yesterday, concluded the inquest in the case of John Lynch, killed at the Marine Hospital on the twenty-third ultimo. The verdict was that death was caused by a wound at the hands of T. J. McKay, now in custody.

The body of James Mulrody was last evening found drowned in the New canal. Deceased was eighteen years old, and had been fishing or swimming. The drowning was accidental.

The firemen's well at the corner of Magazine and St. Mary streets is out of order.

CRIMINAL COURT.—The following prisoners were arraigned and pleaded not guilty: James Early, charged with carrying concealed weapons; Mary Seymour, assault and battery; Joseph Newman, assault and battery; John Welsh, assault and battery; Thomas Leech, assault and battery.

Louis Martin, charged with an assault to kill, pleaded not guilty.

Tempus McDonald, a sailor, charged with carrying a pistol concealed, was sentenced to one day in the Parish Prison.

Thomas Clinton, a sailor boy, on a similar charge, was sentenced to one day in the Parish Prison.

Hawhey, convicted of stealing a watch, was sentenced to six months in the Penitentiary.

Judge Abell was engaged in selecting the members of the grand and petit juries to serve for the coming term—the petit jury for one month and the grand jury for three months.

OFFICIAL MORTUARY REPORT.—Dr. S. C. Russell, secretary of the board of health, reports that the whole number of deaths in this city for the week ending Sunday evening last at six o'clock was 151. The causes of death were as follows:

One of abcess of abdomen, 3 of apoplexy, 6 of bronchitis, 1 of cancer of neck, 2 of catarrh, 4 of cholera infantum, 11 of cholera morbus, 1 of bilious colic, 2 of congestion of the brain, 1 of constipation of the bowels, 23 of consumption, 1 of infantile convulsions, 2 of cyanosis, 3 of adult debility, 1 of infantile debility, 1 of diarrhea, 1 of chronic diarrhea, 1 of dropsy of the abdomen, 1 of dropsy of the brain, 1 of chronic dysentery, 1 of diphtheria, 1 of dyspepsia, 1 of erysipelas, 1 of emphysema, 3 of congestive fever, 1 of malarial, fever 1 of typhoid fever, 1 of fracture of the spine, 1 of gangrene, 1 of hemorrhage, 4 of heart disease, 1 of valular disease of the heart, 2 of hooping cough, 2 of inflammation of the bowels, 1 of inflammation of the brain, 1 of inflammation of the liver, 1 killed accidentally, 1 of difficult labor, 1 of lockjaw, 1 of laryngitis, 3 of infantile marasmus, 2 of measles, 5 of meningitis, 5 of cerebro-spinal meningitis, 1 of old age, 8 of pneumonia, 1 of typhoid pneumonia, 2 of scrofula, 20 of small-pox, 1 of syphilis, 5 of teething, 2 of tris nascentium, 1 of tabes mesenterica, 1 of wounds.

Twenty five were interred from public institutions, seventeen on certificates of coroners, 2 on certificates of midwives and 1 on certificate of Sisters.

THE COURTS.

Supreme Court.

Opinions in the following cases were rendered yesterday:

BY CHIEF JUSTICE LUDELING.

No. 4392. Nancy Doughty vs. the sheriff et al., appellants.—From Fifth Judicial District. Injunction. Judgment affirmed.

No. 4650. State of Louisiana ex rel. J. L. Lalaurie vs. Judge Fifth District Court, parish of Orleans.—Rule to show cause why judge should not be prohibited from prosecuting further the suit against relator, an appeal having been taken. Prohibition writ made peremptory.

No. 4611. August and Leanda Cheval, appelants, vs. St. Leon Destez and Etienne Carlon.—From Fifth District Court for the parish of Orleans. Injunction. Judgment affirmed.

No. 2899. Louis Lalaurie, appellant, vs. Southern Bank.—From Fifth District Court for the parish of Orleans. Verdict set aside and judgment reversed in favor of plaintiff.

No. 2890. Bank of New Orleans vs. B. L. Millaudon and J. M. Lapeyre, appellants. From Fourth District Court for the parish of Orleans. Judgment reversed as against Lapeyre, indorser.

No. 4532. William J. Rusk, administrator, vs. Warren & Crawford.—From Seventh Judicial District Court. Judgment affirmed.

No. 4488. Jean Baptiste Leche vs. J. B. Arthur Claverie, appellant.—From Fourth Judicial District. Judgment affirmed.

No. 4474. Alio Leblanc, appellant, vs. D. A. Thibaut and B. Dauney.—From Second Judicial District. The transcript not being filed in time by the appellant, the appeal is dismissed.

No. 4487. Miller & Ellis vs. J. W. Blanche et al., Peterson & Hill, intervenors.—Rehearing. Judgment in favor of intervenors reversed, and against defendants in solido.

BY JUSTICE TALIAFERRO.

No. 4649. State of Louisiana ex rel P. Leonard, public administrator, vs. William M. Prescott, parish judge, Plaquemines parish. Judgment for plaintiff.

No. 4630. State of Louisiana ex rel James Marais, appellant, vs. Taylor Beattie, judge Fifteenth Judicial District. A mandamus will not issue when the applicant has an adequate remedy by appeal. Rule discharged at relator's cost.

No. 3972. Jules A. Florat vs. H. N. McCrea, appellant.—From Second Judicial District. Judgment affirmed.

No. 1848. John Henderson vs. Merchants' Mutual Insurance Company.—In this case, as the former decision of this court was reversed by the Supreme Court of the United States, the court orders and decrees, as follows: The surplus of the proceeds of the sale of the property of Joseph Menard be paid over to John T. Delmar; the injunction be perpetuated; the defendant pay costs.

No. 2612. Mrs. Ann Smith vs. Louisiana Mutual Insurance Company, appellant.—From the Seventh District Court of Orleans. Rehearing. Decree amended; costs to be paid by appellee.

No. 2844. M. N. Radovitch vs. A. H. Seward and A. P. Kin, appellants.—From Seventh District Court. Judgment for plaintiff reversed.

No. 4455. State of Louisiana ex rel. St. Charles Street Railroad Company vs. John Cockrem, city Administrator, appellant.—From Eighth District Court. Judgment affirmed.

No. 4349. Succession of Edmund Hogan, Peter Gallagher, appellant.—From Second District Court. Case remanded for further proceedings, according to law.

BY JUSTICE HOWELL.

State of Louisiana vs. Oscar Burns.—From First District Court of Orleans. Assignment of error, that the defendant's application for new trial should have been disposed of. The record shows this was waived, besides receiving sentence was a material disposal of the application. The objection that the civil sheriff should furnish a list of jurors we think is an error. The criminal sheriff being a sheriff of the parish of Orleans by the constitution as much as the civil sheriff, the ruling of the judge below was correct. The judge did not err in charging that the law presumed the sanity of every man, and that it devolved on the prisoner to satisfy the jury by a preponderance of proof that he was insane. Judgment affirmed.

No. 4628. State of Lousiana ex rel. S. D. Dixon, tutor, vs. Judge of Fifth District Court of Orleans.—Writ of prohibition denied.

No. 4394. Mrs. A. M. Jennings vs. Mrs. F. M. McConnico.—From Fourth District Court of Orleans. Rehearing. Judgment dismissing the appeal so far as to J. P. Fowler reversed.

No. 4015. William Durbridge, appellant, vs. George Albau.—From Sixth District Court of Orleans. Judgment affirmed.

No. 4460. M. A. Southworth vs. city of New Orleans, appellant.—Judgment affirmed.

No. 4606. Charles Matrigant vs. Pierre Dufert, appellant.—Judgment affirmed.

No. 8978. Thomas Kleinpeter vs. Pike, Lapeyre & Brother, appellants—From Seventh District Court of Orleans. Appeal dismissed.

No. 2845. Alfred Marchand vs. Alfred Kearney, appellant.—From the Seventh District Court. Judgment affirmed.

No. 4626. Charles Ripinski vs. H. Jacobs.—From the Fifth District Court. Motion to dismiss appeal overruled.

No. 4567. Victor Maurin et al. vs. Charles Smith, appellant. From the Fourth Judicial District Court. Judgment affirmed.

BY JUSTICE WYLY.

No. 4639. State of Louisiana ex rel. Octave Reggio, appellant, vs. the judge of the Fourth District Court. Writ of prohibition made absolute.

No. 2824. E. Newman & Co., appellants, vs. John Smoker et al.—From the Seventh District Court. Judgment affirmed.

No. 4071. State of Louisiana, ex rel. board of assessors, vs. James Graham, appellant.—From the Eighth District Court. The relators filed a motion to dismiss the appeal. Attorney General Belden consenting, Attorney General Field withdrew the consent, as he had a right to do. Motion to dismiss appeal denied. Mandamus disallowed and all demands of relators rejected.

No. 2840. Crescent City Bank vs. H. Kendall, cashier, appellant.—From the Seventh District Court. Judgment amended by reducing the demand of $31,972 64 by $6314 65.

No. 4593. Mrs. Amelie Richard, appellant, vs. Pierre Brunet.—From the Fifth Judicial District. Judgment affirmed.

No. 2809. Herman Job vs. Franklin Heuer, appellant.—From Fourth District Court of Orleans. Judgment annulled.

No. 2867. Timothy McCarthy vs. Louisiana Mutual Insurance Company, appellant. Judgment annulled and case remanded.

No. 2875. S. H. Kennedy & Co. vs. James Reynolds, appellant. Judgment affirmed. Mr. Justice Morgan was recused in this case.

Nos. 4015 and 4504. Mrs. Anna E. Drouett vs. Francois Lecroix and C. S. Sauvinet, appellants.—From the Fifth District Court. Motion to dismiss appeal denied.

No. 4558. State of Louisiana ex rel. Henry Shorten vs. board of selectmen of Baton Rouge, appellants.—From the Fifth Judicial District. Mandamus to compel defendants to issue certificate of election to plaintiff as mayor made peremptory in lower court. Issuing certificate is not merely a ministerial duty. The respondents were authorized to consider the returns. Under the eighth section of the city charter the board can exercise their discretion. Their action is not conclusive, and the remedy is not by mandamus. Judgment annulled.

No. 3861. Joseph Leblanc, appellant, vs. Louis St. Germain.—From Second Judicial District. Section 691 Revised Statutes, exempting a homestead from seizure, may be pleaded in bar of the foreclosure of a conventional mortgage. Judgment annulled.

BY JUSTICE MORGAN.

No. 2941. J. G. Becker vs. Joseph Ryback, appellant.—From Fourth District Court of Orleans. Judgment affirmed.

No. 4599. Mateo Azcona, appellant, vs. Manuel a Vega.—From Fourth District Court of Orleans. Judgment affirmed.

No. 4518. State of Louisiana ex rel recorder of mortgages, appellant, vs. Charles Clinton, Auditor. If the State owes the recorder of mortgages for entering deeds, the remedy is not by mandamus. Judgment affirmed.

No. 2876. John Delhonde vs. J. J. B. Kirk, appellant.—From Fourth District Court of Orleans. Judgment affirmed.

No. 4513. State of Louisiana ex rel. Attorney General, on information J. T. Michel, appellant, vs. B. Campbell.—From Superior District Court. April 4, 1870. Campbell was elected recorder of the Sixth District by the Council, to serve two years. His term consequently expired April 4, 1872. The Governor appointed Michel September 20, 1872. The Council elected Campbell September 24, 1872. In a legal sense the office was vacant from April 4, 1872, and Campbell a tenant at the will of the appointing power. Section 1577, R. S., gives this power to the Governor. The office is one of legislative creation, who having given the power to fill the vacancy to the Governor, and the office being vacant, the appointment was properly made and the election by the Council was the filling of a place already occupied. Judgment of lower court annulled and reversed. Ordered that the relator be declared entitled to the office and placed in possession.

No. 2908. Philibert Rogby vs. J. M. Juillard and Louis Schneider, appellants.—From Fourth District Court of Orleans. Judgment against Juillard reversed and against Schneider sustained.

No. 2926. Josephine Hale vs. William J. Sulton, appellant.—From Sixth District Court of Orleans. Judgment affirmed.

Superior District Court.

State of Louisiana ex rel. A. P. Field, Attorney General, vs. Louisiana State Lottery Company.

PLAINTIFF'S PETITION.

The petition of A. P. Field, Attorney General, suing for the State of Louisiana in this behalf, respectfully shows:

That in the month of August, 1868, the Legislature of the State of Louisiana created a corporation designated as the Louisiana State Lottery Company, constituting certain persons named in said act a corporation for the acts and purposes and with the powers and privileges specified and set forth in the said act of incorporation published in the session laws of 1868, the said act being numbered No. 25, and that said corporation has been exercising the powers and privileges of a corporation so far as to make binding upon them the terms, conditions and limitations specified in said act of incorporation.

Your petitioner represents that it was the meaning and intent of said act of incorporation, that for the protection of the people and the security of the declared policy of the State touching the sale of lottery tickets, the said Louisiana State Lottery Company should itself, as a corporation, solely exercise the rights and privileges conferred, which were to establish a single solvent and reliable home institution for the sale of lottery tickets of the Louisiana State Lottery Company at terms and prices in just proportion to the prizes to be drawn, and to insure perfect fairness and justice in the distribution of such prizes and for the discharge of this responsible trust, involving grave questions of public morality, and the exercise of the police power of the State, it was provided in said act that all power of the corporation shall be vested in the board of directors, to consist of seven persons, each of whom shall at least own ten shares of the capital stock.

Your petitioner represents that in furtherance of the declared purpose of said act of incorporation it was provided that the company should only have the right to commence operations when $100,000 of its stock was subscribed and paid in, and that the said corporation should pay to the State $40,000 per annum, payable quarterly in advance, from and after the first of January, 1869, and to secure the prompt and punctual payment of said sums, the corporation should furnish bonds to the Auditor in the sum of $50,000.

Your petitioner represents that said Louisiana State Lottery Company has violated the provisions of its charter by making contracts with Charles T. Howard, of New Orleans, Zachand E. Simmons and John A. Morris, of New York, and Charles H. Murray, of New Jersey, in or about the year 1870, the precise date of which is unknown to your petitioner, the said contract being a private act and in the possession of said parties interested, by which said contract said company delegated to the said parties the powers, rights, privileges and franchises of said corporation, wholly or in part, said parties publishing themselves as the firm of Howard, Simmons & Co., contractors, and subsequently as Charles T. Howard & Co., managers, said corporation thereby and otherwise rendering itself guilty of misuser, nonuser and abuse of its franchise, to the detriment of the morals of the people and contrary to the declared policy and purposes of said act of incorporation.

Your petitioner represents that said Louisiana State Lottery Company, not content with exercising the extraordinary and dangerous franchises conferred, has arrogated to itself and usurped the power and authority to permit other corporations and parties to draw lotteries in the State of Louisiana other than the lottery established by said act of incorporation; and petitioner complains and avers that said act of usurpation of franchise has been committed in the following instances:

1. In the early part of November, 1870, or thereabouts, said Louisiana State Lottery Company authorized the French Bazar Fair, held at the St. Louis Hotel, in the city of New Orleans, to draw a lottery, provided it was not for money, and in connection with said institution special authority was given to Charles Cavaroc or other parties connected with said bazar to draw a lottery for the prize of $5000 in gold, which said lotteries were drawn because of said permission, it being a notorious fact, known to said corporation, that the proceeds of said lotteries would be withdrawn and lost to the State, and be transmitted to France, all of which was in violation of the express provisions of the first section of said act of incorporation.

2. Authority and permission was given by said Louisiana Lottery Company to A. Rocherean and other parties in the fall of 1870 to sell in this State tickets in the Lotterie Nationale, a French lottery scheme established in France by the ministerial decision of September 6, 1870, as appears on the face of the tickets of said lottery, which tickets were sold in the State under said authorizations and permissions, the same being a foreign lottery, all of which was in violation of the terms and provisions of said act of incorporation of said Louisiana State Lottery Company.

3. In the month of January, 1873, the said Louisiana State Lottery Company authorized and permitted the Fair Grounds Association, incorporated by the laws of Louisiana, to establish a grand lottery within the State of Louisiana, to be drawn for the relief of the Fair Grounds Association; said lottery being for money and other prizes, and in pursuance of said permission granted, the tickets of said lottery have been and are being sold in the State of Louisiana.

Your petitioner represents that in each of the above specified instances the said Louisiana State Lottery Company acted without any warrant of law, and has used and exercised its liberties, privileges and franchises without any authority, grant or charter from the State, and that said acts were usurpations upon the people of the State and in flagrant defiance of the fundamental power of the State to regulate the high prerogative of the police power of the State.

Your petitioner represents that in violation of the express provisions of said charter, said company did exercise the right to commence operations before $100,000 of the capital stock was subscribed and paid in; and that in further violation of said charter said corporation has not paid to the State the sum of $40,000 per annum, quarterly in advance, from and after the first of January, 1869, as provided in said charter; nor has it furnished bonds to the Auditor, as required by the second section of said act of incorporation, it being intended that said bonds should be furnished each and every year.

Your petitioner represents that said Louisiana State Lottery has failed to elect its board of directors regularly, as prescribed by the law of its charter, and that said directory has ceased to exist, and that said company by its failures and omissions to use and exercise its franchises, as prescribed by law, as above set forth, and by its flagrant usurpation of franchises, and by its violation of the terms and conditions of its charter, has been guilty of the offenses stated, and has thereby, for each one of the causes stated, forfeited to the State its franchises, rights, privileges and charter, and has caused damage to the State aforesaid in the sum of $30,000.

Wherefore, the premises considered, petitioner prays that said Louisiana State Lottery Company be cited, through its president, Charles T. Howard, to answer this petition, and after due proceeding there be judgment in favor of the State, declaring the forfeiture of the charter of said corporation and dissolving the same, with costs and damages aforesaid, and reserving the right to represent other grounds of forfeiture, the petitioner prays for general relief.

State of Louisiana ex rel. A. P. Field, Attorney General, on information of F. C. Mahan, vs. Accommodation Bank.—Plaintiff sets forth that John Lockwood, J. N. Burchard, J. W. Willman, E. B. Benton and R. H. Wood, without being incorporated, are doing business, calling their concern the Accommodation Bank; that they have usurped the charter of the Loan and Pledge Association; that the act changing that name is unconstitutional; that it never was accepted by the stockholders of the Loan and Pledge Association.

The prayer is for a decree in accordance, for a writ of prohibition to issue against and a fine be imposed on the defendants not exceeding $2000.

Second District Court.

Successions of James Crellin and Lewis Phillips opened.

Fourth District Court.

A. Hirsch vs. Jacob Strauss.—Plaintiff, Abraham Hirsh, alleges that he is the holder and owner of a certain promissory note for the sum of $5000, dated New Orleans, April 1, 1871, made and subscribed by Jacob Strauss, and payable fourteen months after date to his own order and by him indorsed, and bearing six per cent per annum interest from date until paid; that the note was protested, and Strauss, after amicable demand, refused to pay it.

Defendant avers that the consideration of the note sued on was illegal and against public policy; that the note itself is null and void; that Hirsch is not the bona fide holder and owner of the said note, but knew at the time that defendant had a good defense against Samuel Friedlander, from whom he obtained it.

Judge Lynch said:

The issuance of the warrants by Wickliffe, although fraudulent, it was not by any means clear that they were worthless; that the purchase of such warrants was entirely legitimate, and all transactions therein quite as proper as any customary form of business. Therefore the pleas of defendant are of no effect, touching the immorality of the transaction, and defendant must recover.

There is nothing immoral, illegal, or against public policy, in the consideration for which the note in controversy was given. The warrants purchased by Strauss have not been decreed by any legal tribunal to be invalid as binding obligations on the State.

I see no valid reason why plaintiff should not recover.

Let, therefore, the plaintiff have judgment as prayed for.

Fifth District Court.

Slocomb, Baldwin & Co. vs. New Orleans, Mobile and Texas Railroad.—The law of Louisiana authorizing the defendants to be sued in the State courts, the attachment on the ground of their being a foreign corporation was dissolved.

A sceptic who was trying to confuse a Christian colored man by the contradictory passages in the Bible, asked how it could be that we were in the spirit, and the spirit in us, received the reply: "Oh! dar's no puzzle 'bout dat; it's like dat poker; I put it in de fire till it gets red hot—now de poker's in de fire, and de fire's in de poker." A profound theologian could not have made a better reply.

Mr. Cattell, the new financial agent to negotiate the sale of new bonds abroad, will start for London on the twelfth of this month. Three clerks from the treasury will accompany him, and with a large supply of bonds. His headquarters will be in London, though he proposes to visit all of the principal money centres. All transactions with the syndicate in London will be through Mr. Cattell.

A curious library may be seen at Cassel, Germany, made from 500 European trees. The back of each volume is formed of the bark; the sides of the perfect wood; the top of young wood, and the bottoms of old wood. When opened the book is found to be a box containing the flower, seed, fruit, and leaves of the tree, either dried or imitated in wax.

Contentment and happiness reign in all households where Dooley's yeast powder is used. Try it. Your grocer has it. Put up full weight.

SPECIAL NOTICES.

Young Men's Christian Association.—The regular monthly meeting of the Young Men's Christian Association will be held at their rooms, THIS (Tuesday) EVENING, the eighth instant, at half-past seven o'clock. All members are requested to attend. J. W. MIZELL, Acting Secretary. ap8 1t

The Thoughtful Physician Does not Regard spring as a healthy season. Its sudden transitions of temperature, searching winds and chilling rains are provocative of rheumatism and neuralgia, and where there is a predisposition to dyspepsia or bilious colic, or chills and fever, such variations of the weather are apt to superinduce a visitation of one or other of those complaints. By toning and regulating the system with Hostetter's Stomach Bitters at this season, these evils may, however, be warded off. The direct effect of the standard vegetable specific is to invigorate the body and renovate the constitution, while it indirectly operates as a preventive of disease by purifying the animal fluids from any acid particles they may contain, and regulating the functions upon which health mainly depends—notably those of digestion, secretion and evacuation. ap2 3t eod W

Office Mutual Aid and Benevolent Life Insurance Association, No. 19 Camp street, New Orleans, April 8, 1873.—Members of this association are hereby notified of the death of John Schindler, who died in this city October 30, 1872; Christian Graa, who died in this city November 2, 1872; and Walter T. Perry, who died in this city November 12, 1872, and are called upon to come forward without further notice and pay at the office of the association, No. 19 Camp street, $1 25 on each on or before 4 P. M. May 13, 1873. apo 7t R. W. YOUNG, Secretary.

Notice.—Office Ammonia and Thetus Specific Propelling Company of America, No. 175 Common street, New Orleans, April 5, 1873.—Subscribers to the stock of this company are hereby notified to come forward and pay the installments due and unpaid on their subscribed stock on or before the fifteenth instant, in default of which the same will be forfeited. ap5 8t B. L. MILLAUDON, Secretary.

State National Bank of New Orleans. New Orleans, March 29, 1873.—At a meeting of the board of directors held this day a dividend of three and a quarter per cent to the stockholders, and a dividend of three-quarters of one per cent to the depositors upon their average daily balances, was declared out of the earnings of the bank for the past three months, payable on and after MONDAY, April 14, 1873. CHARLES L. C. DUPUY, Cashier. mh30 2w

Office of the Crescent City Live Stock Landing and Slaughter House Company, New Orleans, March 24, 1873.—At an annual election for Directors of this Company, held on fifth instant, the following gentlemen were duly elected to serve during the ensuing year:

CHARLES CAVAROC, JOSEPH HERNANDEZ,
L. E. LEMARIE, JOSEPH HOLDSON,
E. F. MINTON, R. G. HULBERT
J. S. AVEGNO, CHARLES DE RUYTER,
PASCAL SARTHOU.

And at a meeting of the Board of Directors, held on twenty-first instant, Mr. CHARLES CAVAROC was unanimously re-elected President.
mh25 15t J. N. AUGUSTIN, Secretary.

The undersigned is the testamentary executor of the estate of his father, the late Edward Barnett. He will continue the notarial business at No. 15 Royal street.

Creditors of the estate are requested to present their claims at once. Those indebted will please make payment. JOHN J. BARNETT,
mh8 1m Attorney at Law and Notary Public.

Batchelor's Hair Dye.—This splendid Hair Dye is the best in the world. The only true and perfect dye. Harmless, reliable and instantaneous; no disappointment; no ridiculous tints or unpleasant odor. Remedies the ill effects of bad dyes and washes. Produces immediately a superb black or natural brown, and leaves the hair clean, soft and beautiful. The genuine, signed by W. A. Batchelor. Sold by all druggists. CHARLES BATCHELOR,
o63 1y Proprietor, New York.

The partnership which has existed between Edward Barnett and Marcel T. Ducros, notaries, from the fifteenth of November, 1869, to the first of March, 1873, being dissolved by the death of Edward Barnett, the undersigned will continue the notarial business for his own account at the old stand, No. 15 Royal street. All information relative to the late business will be furnished by MARCEL T. DUCROS, Notary Public.
mh16 1m

Office New Orleans City Railroad Company. New Orleans, March 29, 1873.—At a meeting of the board of directors held this day a dividend of three per cent to the stockholders, payable on the twelfth instant, a dividend of FOUR DOLLARS per share was declared, payable to the stockholders on and after April 4. mh31 10t C. C. LEWIS, Secretary.

Office of Orleans Railroad Company, corner White and Lafayette streets, New Orleans, March 20, 1873.—A meeting of the stockholders of this company will be held at the office of the company on MONDAY, April 21, next, 1873, at 10 A. M., there and then to deliberate on the proposed increase of capital and amendment to article eighth of the charter of the company.
mh20 1m P. TISNE, Jr., Secretary.

OFFICIAL NOTICES.

EXECUTIVE ORDER.

STATE OF LOUISIANA, Executive Department, New Orleans, March 6, 1873.

WHEREAS, ARTICLE III OF THE CONSTITUTION of the State of Louisiana provides:

"No person shall hold or exercise at the same time more than one office of trust and profit, except that of justice of the peace or notary public;" and

Whereas, I am informed there are persons in the State holding two or more offices, in violation of said constitutional provisions, and believing such a course to be in contravention of public policy and good morals; and

Whereas, I am informed that several members of the General Assembly are now holding offices of profit, under the impression that the above cited article does not apply to them, on the alleged ground that a member of the General Assembly is not a State officer, and having fully considered and taken legal counsel on the subject, I am satisfied and believe that a member of the General Assembly is a State officer, it becomes my duty, as a matter of duty, to enforce the provisions of said article of the constitution against all persons violating the same.

I hereby give notice to all persons whatsoever, that as executive of the State of Louisiana I shall consider in all cases, not specially exempted by the constitution, where two or more offices of trust or profit are held by the same person, that both or all said offices are vacant, unless resignation of all the said offices, save one be tendered me within thirty days of the date hereof, and in case of resistance to this notice, I shall proceed under the law to remove any of said officers so retaining.

Given under my hand and the seal of the State affixed this eighth day of March, 1873.

WILLIAM P. KELLOGG.

By the Governor:
P. G. DESLONDE,
Secretary of State. mh9

OFFICIAL NOTICES.

PENSIONS TO VETERANS OF THE WAR OF 1812.

THE FOLLOWING NAMES ARE HEREBY PUBlished in compliance with act No. 70 of 1872.

Joachim Assemard,	Jean Barthe.
Bazile Brun,	Jacques Bachemin,
Paulin Bonsignour,	J. B. D. Bonsignour,
Jean Bonsignour,	B. Bayhi,
Jean Noel Bermoudez,	Urain Bernard,
E. L. Bernard,	Joseph Breau,
François Bernard,	Augustin Benait,
Armand Broussard,	F. A. Bechnel,
Henry Baudet,	Pierre Badoin,
Jean P. Bourke,	William Bloomfield,
Rosemond S. Brand,	E. Crocket,
F. Christophe,	Pierre Conrad,
Pierre Cicet,	Eugene Chenet,
Louis Chiasson,	Michel Cambre,
Christoval G. de Armas,	E. B. D. de Gray,
O. Durand,	Louis J. Desportes,
Eugene de Carr,	Celestine Darby,
Zenon Dejean,	Charles Durand,
Auvignac D'Orville,	Harry L. Duffell,
Antoine Escot,	Joseph Frick,
Charles Fagot,	Pierre Foret,
Jean Gervais,	Pierre Gondry,
Louis Grange,	Hypolite Gondry,
Pierre Granger,	Charles Gaspard,
Peter Galloway,	Julien Hamelin,
Nicholas Havdel,	Isaac Henrison
Frederick Herbert,	Pierre Jean,
Philippe Lamaix,	Jean Lamothe,
Pierre Laborrossere,	Louis Labonmer,
Severin Laborn,	C. Labranche,
Adam Leche,	Andre J. Lafontaine,
J. B. F. Lebretton,	Charles Lavrone,
Leon Lattonis,	Charles LeBlyne,
Narcisse Landry,	Joseph Landry,
Athanas Landry,	Louis Louviere,
J. R. LaBarre,	Etienne Menier,
Pierre Menette,	Maurice Moreau,
A. McCarthy,	Jerome Melancon,
Manuel Moreau,	Jordan B. Noble,
Louis Petit,	F. Pascal,
François Piest,	Benjamin Peche,
J. B. Perret,	F. Perret,
D. Peleran,	Norbet Perret,
Eugene Peleran,	Augustin Rossean,
Charles Raymond,	J. M. Rouzan,
August Raynal,	F. Robert,
Elisee Rilleux,	Pedro Ruiz,
Joseph Ruiz,	Marvin Reine,
Francois Reine,	Zenon Rousselle,
Placide Rabin,	David A. Sandis,
J. D. St. Herman,	Joseph St. Cyr,
Jacques Soyer,	S. S. St. Cyr,
Joseph Schetaver,	Celestin Sonret,
Francois Pistani,	Isaac Soyer,
Antoine Villars,	Francois Tervolan,
J. R. D. Vussin,	Urain Valentine,
Francois Weber,	Edward Weber.

All the above parties are entitled to draw their pensions, as provided by act No. 70 of 1873, promulgated April 2, 1873, upon proof of identity, without further evidence of their claims. All other veterans of the war of 1812 must prove their claims in the Superior District Court.

CHARLES CLINTON, Auditor.
New Orleans, April 7, 1873. ap8 1t

PROPOSALS FOR NAVAL SUPPLIES.

PAYMASTER'S OFFICE, Navy Yard, Pensacola, March 26, 1873.

PROPOSALS, SEALED AND INDORSED "PROposals for Supplies," will be received at this office until 11 A. M., MONDAY, April 7, 1873, for furnishing the following schedule of material, which must be of the best quality, to be delivered at the Navy Yard, Pensacola, on or before the fifteenth day of May, 1873, at such points as may be directed by the Commandant, and subject to usual inspection thereat. (Proposals for brick will also state the cost of delivery at the site for new shell house outside the navy yard w