

New Orleans Republican

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Files of drawer of note of want of notice of dishonor held good.

T. B. Green vs. Gruber, tax collector. The original assessment list must control.

Recodation of a description of the property of a delinquent tax-payer is the mode of seizure provided by the statute.

Julia A. Lewis vs. Winston, Morrison & Co.—Where an injunction bond is signed by a husband to aid and authorize the wife to sell, that it is sufficient proof that authorized the institution of the suit.

In an affidavit for injunction it is sufficient if the affiant swears that "the facts and allegations in the petition are true."

An appellant from a judgment on a verdict in a civil case is presumed to be satisfied with the trial before coming before the court.

Christian vs. H. F. Vickers.—Plaintiff's answer to a bill for the recovery of land sold by the defendant's father.

F. Bercher vs. city of Shreveport.—Defendant, without complying with the law, included in a street a portion of the lot of plaintiff and others for over twenty years.

Trezevant, tutor, vs. J. D. Holly.—Judgment affirmed in the partition of land which the wife is proprietress; the husband had the management as agent for his wife; she never repudiated her husband's act until suit was brought, and she lived in the house as if she were the owner.

S. B. Miller vs. M. C. Mosely.—The holder of a check can not hold the endorser responsible when it is shown, even though the check is not cashed, that the check was held beyond a reasonable length of time.

J. H. Brigham, curator, vs. Bussey, recorder, et al.—This was a suit to hold the recorder and others liable for their failure to reinscribe a judgment. The defense was lack of instructions. Held, that evidence showed instructions were given.

Gillis vs. S. D. Dansey.—Where a party attacks a sale of judgment, for fraud or simulation, and does not allege injury, his suit will not stand. Case dismissed.

Dugan vs. Charles.—Plaintiffs fail to state the amount of their interest as taxpayers, and hence the motion to dismiss is sustained.

Peet, Yale & Bowling vs. Riley & Co., et al.—The note sued on was given by a recorder and others for their failure to reinscribe a judgment. The defense was lack of instructions. Held, that evidence showed instructions were given.

Mary Markham vs. J. S. Schardt.—An applicant for tutelage need not allege that there are no relatives of the minor in the State.

Objection to the want of unanimity in the proceedings of a family meeting may be made before homologation. The minors owned no property, and the family meeting recommended no bond for the return of the property. Plaintiff's demand dismissed.

Duckworth et al. vs. Payne et al. Sheriff's notices of sale are null when posted only when an officer of the court is selected to sell the property.

Hoss & Elder, administrators, vs. G. J. Jones.—The defendant having agreed to a judgment rendered and signed in chambers by a notary public, is bound by it.

R. C. M. Oglesby vs. Renwick & Co.—Morgan, one of the defendants, had a right to prove that the defendant had no knowledge of an account which was incorrect. Judgment reversed at plaintiff's cost.

Taylor, Knapp & Co. vs. W. J. Hancock.—Where a party admits judgment, and goes against him in a trial, his will assume that it was rendered on sufficient evidence. Judgment affirmed.

Succession of J. H. Wiener.—There is no more difficulty in determining the date of forgery. The district judge is acquainted with the parties in interest; heard the witnesses testify, and saw the documents. His opinion, therefore, is final.

City of Shreveport vs. L. A. Levy. This was a case where the defendant appeared with a fine of \$10 in the city court for having kept his store open on Sunday as his Sabbath. The city ordinance provides that whoever observes Saturday as his Sabbath shall not be required to close his store on Sunday.

State ex rel. Vaughn, District Attorney, vs. S. R. Richardson.—The mayor of Homer has a salary of \$500 with no other fees; but the charter provides he shall also act as clerk of the court, and for such services he is to be paid. The amount in dispute did not exceed \$500, and the suit was dismissed for want of jurisdiction.

Succession of Mary Gee.—The appointment of the public administrator to administer was erroneous; there were no heirs of the decedent who were legally represented and clamorous to be put in possession. It was not a vacant succession. Judgment reversed.

A. L. Slade vs. J. S. Ray, assessor and collector of Monroe.—The words in the title of the charter "to provide for the government of the city of Monroe," are not to be construed as giving power to the assessor by compulsory process, and that this power is not inconsistent with the constitution of the State or of the United States. Injunction dissolved.

John and Charles Chate vs. Mrs. E. W. Wardwell, W. J. Q. Baker, intervenor.—Baker contracted a debt with plaintiffs for Mrs. Wilson, deploring the defendant's note as collateral, there being a written agreement to this effect. Mrs. Wilson went into bankruptcy, subsequently, before Baker, whom she had married. Baker pleaded prescription, and the debt was barred. Judgment affirmed.

Godwill & Webb vs. Minchew.—Defendant sold property two days after a default was taken. Plaintiff's attorney swore out an attachment, which was dissolved with damages. The acts of defendant showed a fraudulent intent, and justified the attachment.

City of Shreveport vs. J. W. Jones.—Held, that the city of Shreveport has the power to "provide for the better police and municipal government" of the city.

Supreme Court, August 13, 1874.

By Chief Justice Leudell.

Caldwell vs. Cox.—From Caddo. Judgment for \$37 1/4.

State vs. Gilcrease.—Manslaughter. The whole, and not a portion of the prisoner's conversation must be adduced in evidence. New trial ordered.

State vs. Stephen Cox.—Where accused went to trial before a jury without being arraigned, and offered no objection. Held that he was bound by the verdict. Judgment affirmed.

Godwill & Webb vs. Minchew.—Defendant sold property two days after a default was taken. Plaintiff's attorney swore out an attachment, which was dissolved with damages. The acts of defendant showed a fraudulent intent, and justified the attachment.

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and through the Metropolitan Police veching, harassing and oppressing plaintiffs, ordered that they show cause Friday, August 14, why they should not be punished for contempt.

First District Court. INFORMATION FILED. Assault and battery—Barney Williams, et al.—CONVICTED.

Assault and battery—Lizzie Johnson, Solomon Nelson. ON TRIAL.

Assault with intent to rob—Pat Meehan, P. P. Fullen; three jurors obtained and taken ordered.

Monetary--Commercial. MONETARY.

OFFICE OF THE DAILY REPUBLICAN, THURSDAY EVENING, AUGUST 13, 1874.

We have no change to notice in the money market, and the rates of exchange are quiet.

NEW ORLEANS CLEARING HOUSE. Clearings. Balance.

August 10... 88,819 84 5,282 18

August 11... 70,000 00 5,247 75

August 12... 50,541 85 10,714 24

August 13... 50,142 74 19,241 27

Thus far this week... 3,214,326 23 427,569 20

Total last week... 3,273,258 51 429,271 38

Total week before... 3,437,590 24 562,317 90

Gold continued to rule at 109 1/2 @ 110 1/4 in this market, and 109 3/4 through the day at New York.

The sales were of moderate extent, summing up only \$2,000, embracing \$1,600, \$500, and \$500 at 109 1/2.

There is scarcely any movement in domestic exchange, and the rates are quiet.

The simple market of New York was \$1.00 commercial at 5 1/2 per cent premium.

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