OFFICIAL JOURNAL

— OF THE —

FIRST GENERAL ASSEMBLY

— OF THE —

STATE OF LOUISIANA.

SENATE.

Fifty-First Day's Proceedings.

SENATE CHAMBER, New Orleans, Saturday, March 13 1880

The Senate was called to order at 12 o'clock m. by the Hon. S. D. McEnery, Lieutenant Governor and President of the Senate.

On the call of the roll the following named Senators were present:

Messrs. Brian, Buffington, Cahen, Campbell, Cunningham, Estopinal, Fontenot, Foster, Harris, Leake, Lucas, Luckett, Marston, Montan, Newton, Nunez, Nutt, Parlange, Pollock, Perry, Robertson, Rogers, Stewart, Settoon, Story, Walton, Watkins—27.

Absent—Messrs. Aby, Augustin, Davey, Demas, Hagan, Kidd, Steele, Simmes, Vance—9.

On motion of Mr. Fontenot the reading of the journal in detail was dispensed with.

PETITIONS AND MEMORIALS.

The President of the Senate laid before the Senate the following communication:

LOUISIANA STATE UNIVERSITY AND A. AND M. College, Office of the President, Baton Rouge, La., March 10, 1880.

To Hon. S. D. McEnery, Lieutenant Governor of Louisiana and President of the senate:

Sir—There has been so much misunderstanding and intentional misrepresentation of the organization and management of this institution, pending the consideration of the bill to organize the State University and Agricultural and Mechanical College, that I do think a sense of fairness and justice, with an earnest desire to get at the whole truth and to base wholesome legislation thereon, should prompt the Senate and House of Representatives to suspend further action until a joint committee of both houses can thoroughly examine all the affairs, workings and condition of the institution, and for such committee do I most respectfully ask.

It is a grave and serious matter to change a college charter, and it should not be done, only after the fullest and most mature deliberation.

I am, very respectfully, your obedient servant, D. F. BOYD, President.

INTRODUCTION OF BILLS.

Mr. Parlange obtained unanimous consent to introduce at this time, without previous notice, the following entitled bill:

Senate bill No. 167,

An act relative to the trial of summary and preference cases in the Supreme Court of the State.

The bill was read the first time.

RESOLUTION LYING OVER.

The following resolution by Mr. Leake:

Resolved, That the sub-committee appointed to examine the charitable institutions be authorized and instructed to examine and report upon the financial condition of the Louisiana State University and Agricultural and Mechanical College,

Was taken up.

Mr. Robertson offered the following amendments:

Strike out the words "the sub-committee," and insert the words "that a joint committee of two from the Senate and three from the House of Representatives be."

Insert before the word "financial" the words "general and."

Add after the word "*Resolved*," the words "*by the Senate, the House of Representatives concurring*," and strike out the words, "to examine the charitable institutions be," and insert in lieu the word "and."

The amendments were agreed to.

On motion of Mr. Robertson the resolution as amended was adopted.

REPORTS OF COMMITTEES.

Mr. Watkins, chairman of the Committee on the Judiciary, submitted the following report:

To the President and Members of the Senate:

I am instructed by the Committee on the Judiciary, to whom was referred Mr. Demas's resolution, relative to the carrying of concealed weapons by the officers of the Crescent City police, to report the same unfavorably.

House bill No. 171, being

An act to regulate the number of employees of the recorder of mortgages for the parish of Orleans; fixing their salaries; establishing office hours for the recorder of mortgages, and fixing his bond and prescribing his duties,

To report by returning the bill to the Senate, with recommendation that it be referred to the Committee on City Affairs.

Senate bill No. 131, being

An act to provide a privilege book in each parish in which to register all privileges and pledges on growing crops and movables,

To report the same favorably.

Senate bill No. 151, being

An act to amend and re-enact section 3545 of the Revised Statutes, relating to prescription in favor of sheriffs and their sureties,

To report the same favorably, with the following amendments:

First—In title, strike out "section 3545" and insert in lieu thereof the words "sections 2816 and 3546."

Second—In body of the bill, line 2, after the word "that," strike out the word and figures "section 3545" and insert in lieu thereof "sections 2816 and 3546."

Third—In body of the bill, line 10, strike out all after the word "provided" and insert "that actions against sheriffs and their sureties to recover moneys, property, or the value of any property which the sheriffs or any of their deputies may have come into the possession of in their official capacities, and which they may have failed or refused to account for, shall be prescribed in five years from the expiration of the term of office of the sheriff during which such moneys or property was received by him or his deputies."

Senate bill No. 104, being

An act fixing the burden of proof upon railroad companies when sued for damage done to persons, stock or property.

To report the same favorably by substitute.

Senate bill No. 162, being

An act to amend and re-enact articles 2849 and 2850 of the Civil Code,

To report the same unfavorably.

Senate bill No. 160, being

An act to amend and re-enact section 472 of the Code of Practice, relative to the compensation of witnesses in civil cases,

To report the same favorably, with the following amendment:

In body of the bill, lines 14, 15, 16 and 17, strike out the words, "provided, no witness shall be entitled to mileage unless he resides over twelve miles from the place where the court is held."

Respectfully submitted, J. D. WATKINS, Chairman.

MESSAGE FROM THE HOUSE.

The following message received from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, New Orleans, March 13, 1880.

To the President and Members of the Senate:

I am directed to inform your honorable body that the House has concurred in

Senate bill No. 64,

An act to amend and re-enact section 997 of the Revised Statutes of 1870, in regard to challenges of jurors in trials of criminal cases,

With amendments attached to bill.

Also,

Concurrent Resolution

Relative to the Louisiana State Penitentiary.

And to inform you that the Speaker has signed enrolled

House Concurrent Resolution

Instructing the Attorney General to investigate the affairs of the Carondelet Canal, and Navigation Company.

Also, that the House has finally passed, and asks your concurrence in

House bill No. 223,

To provide an annual revenue for the State of Louisiana, etc.

Respectfully, PETER J. TREZEVANT, Clerk.

SIGNING OF ENROLLED HOUSE CONCURRENT RESOLUTION.

Concurrent Resolution, "Instructing the Attorney General to investigate the affairs of the Carondelet Canal and Navigation Company," was read by its title, and the Lieutenant Governor and President of the Senate affixed his signature thereto in open session and without delay.

HOUSE BILL ON FIRST READING.

Mr. Robertson obtained unanimous consent to take up at this time House bill No. 223, contained in the message received from the House this day.

House bill No. 223,

An act to provide an annual revenue for the State of Louisiana, by the levying of annual taxes upon all property not exempted by the constitution from taxation, and by prescribing the methods of assessing and collecting the same, and of enforcing payment thereof.

The bill was read the first time, and on motion of Mr. Robertson was ordered to be printed.

COMMITTEE SERVICE.

Under Concurrent Resolution "relative to the State Penitentiary," the President appointed Messrs. Davey and Montan on the committee on the part of the Senate.

SECOND READING OF SENATE BILLS.

Senate bill No. 165,

An act to regulate the system of pilotage of the port of New Orleans; to amend existing laws relating thereto; to define the qualifications required by pilots, and to repeal the first section of act No. 63, "An act to amend and re-enact section 2708 of the Revised Statutes," etc., approved the thirteenth of April, 1877; and also to define the duties of the Board of Examiners,

Was read the second time, and, on motion of Mr. Rogers, was referred to the Committee on Agriculture and Commerce.

Senate bill No. 166,

An act to provide for the establishment of an insane asylum of the State of Louisiana, to be located in the city of Natchitoches, and to provide for the administration thereof.

The bill was read the second time, and, on motion of Mr. Cunningham, was referred to the Committee on Charitable Institutions.

SENATE BILLS ON SECOND READING.

Senate bill No. 68,

An act to define and regulate the costs and fees of the clerks of the Supreme Court, and costs and fees of the clerks and sheriffs throughout the State of Louisiana, parish of Orleans excepted,

Was taken up, under the favorable report of the Committee on the Judiciary, with amendments.

On motion of Mr. Robertson Senate bill No. 68 was made the special order of the day for Monday, the fifteenth instant, at 1 o'clock p. m.

SENATE BILL REPORTED BACK FROM THE HOUSE WITH AMENDMENTS.

Senate bill No. 69,

An act defining the duties of district attorneys throughout the State, and fixing their fees,

Was taken up, under the unfavorable report of the Committee on the Judiciary on the amendmends proposed by the House.

Mr. Robertson moved that the Senate do not agree to the House amendments.

The motion was agreed to.

Mr. Robertson moved that the House be informed that the Senate refuses to agree to the House amendments, and asks that a committee of conference be appointed thereon.

The motion was agreed to.

The President of the Senate announced as the committee of conference on the House amendments to Senate bill No. 69, on the part of the Senate, Messrs. Watkins, Cunningham and Leake.

SENATE BILL ON THIRD READING.

Senate bill No. 148, substitute for Senate bill No. 94,

An act providing for the funding of certain obligations; designating a board to fund the same; prescribing the character of the bonds to be issued therefor, and defining the powers and duties of said board; authorizing the procurement of blanks and books by said board, and the employment of a clerk; creating a board of examiners; defining their powers and duties and authorizing the employment of a clerk; defining the intent and meaning of the term "valid warrants"; providing for the distinction of warrants when funded or exchanged for certificates; creating a fund for the redemption of the bonds herein authorized to be issued, and for the payment of the interest thereon, when due; providing appeals from the action of said board, and repealing laws or parts of laws in conflict with the provisions of this act,

Was read the third time.

Mr. Parlange moved to reconsider the vote by which the bill was ordered to be engrossed and passed to its third reading.

The motion was agreed to.

Mr. Parlange moved to reconsider the vote by which section 5 was adopted.

The motion was agreed to.

Mr. Parlange offered the following amendment:

In section 5, after the word "thereof," line 10, insert the words "provided this shall not apply to warrants to be issued by the Levee Company, which shall be received and provided for as they are directed by said constitutional ordinance to be received."

The amendment was agreed to.

Mr. Parlange offered the following amendment, which was agreed to:

Strike out in last (repealing) section, the words "the act No. 3 of 1874 and acts amendatory thereto."

On motion of Mr. Robertson the bill was adopted as amended, and was ordered to be engrossed and passed to its third reading.

On motion of Mr. Robertson the rules were suspended to place the bill on its third reading and final passage.

Mr. Robertson moved the final passage of the bill.

The roll was called with the following result:

Yeas—Messrs. Aby, Augustin, Brian, Buffington, Cahen, Cunningham, Fontenot, Foster, Harris, Kidd, Leake, Lucas, Luckett, Marston, Montan, Newton, Nunez, Nutt, Parlange, Pollock, Perry, Robertson, Rogers, Stewart, Settoon, Story, Walton, Watkins—28.

Absent—Messrs. Campbell, Davey, Demas, Estopinal, Hagan, Steele, Simmes, Vance—8.

And the bill was finally passed.

The title was read.

Mr. Parlange offered the following amendment to the title:

Strike out of the title the words "defining the intent and meaning of the term valid warrants."

The amendment was agreed to.

The title as amended was adopted.

Mr. Fontenot moved to reconsider the vote by which the bill was finally passed, and on his own motion the motion to reconsider was laid on the table.

HOUSE BILLS ON SECOND READING.

House bill No. 177,

Joint Resolution requesting our members of Congress to use their influence to obtain the passage of a bill to secure from loss the depositors in the Freedmen's Bank and Trust Company,

Was taken up, the Committee on the Judiciary having reported the bill back without action and recommending that it be referred to the Committee on Federal Relations.

On motion the bill was referred to the Committee on Federal Relations.

HOUSE BILL ON THIRD READING.

House bill No. 15,

An act ordering and requiring parish or municipal corporations in this State to receive for taxes or licenses due any parish or municipal corporation prior to January 1, 1879, all valid warrants, scrip or evidences of indebtedness of said parish or municipal corporations,

Was read the third time.

Mr. Parlange moved to reconsider the vote by which the bill was passed to its third reading.

The motion was agreed to.

On motion of Mr. Parlange the vote by which section 1 of the bill was adopted was reconsidered.

Mr. Parlange offered the following amendment, which was agreed to:

In second amendment of the committee, line 21, after the word "issued" and before the words "by any school," insert the words "according to law."

On motion of Mr. Parlange the section as amended was adopted.

Mr. Robertson moved that the bill be read a third time.

Mr. Foster moved that the bill be recommitted to the Committee on Finance.

Mr. Robertson moved to lay the motion to recommit on the table.

Mr. Foster demanded the yeas and nays.

The call having been sustained the roll was called, with the following result:

Yeas—Messrs. Aby, Augustin, Brian, Buffington, Campbell, Cunningham, Davey, Hagan, Harris, Kidd, Leake, Luckett, Marston, Newton, Parlange, Pollock, Robertson, Rogers, Settoon, Story, Walton, Watkins—22.

Nays—Messrs. Cahen, Fontenot, Foster, Lucas, Montan, Nunez, Perry, Stewart—8.

Absent—Messrs. Demas, Estopinal, Nutt, Steele, Simmes, Vance—6.

And the motion to lay on the table the motion to recommit the bill prevailed.

On motion of Mr. Robertson the bill was ordered read a third time.

Mr. Robertson moved that the rules be suspended to place the bill on its third reading and final passage.

The motion was agreed to.

The bill was read the third time.

Mr. Robertson moved that the bill do now finally pass.

The roll was called, with the following result:

Yeas—Messrs. Aby, Augustin, Brian, Buffington, Cunningham, Davey, Hagan, Harris, Kidd, Leake, Lucas, Newton, Parlange, Pollock, Robertson, Rogers, Stewart, Settoon, Story, Walton—20.

Nays—Messrs. Cahen, Fontenot, Foster, Marston, Montan, Nunez, Perry, Watkins—8.

Absent—Messrs. Campbell, Demas, Estopinal, Luckett, Nutt, Steele, Simmes, Vance—8.

And the bill was finally passed.

The title was adopted.

Mr. Robertson moved to reconsider the vote by which the bill was finally passed, and on his own motion the motion to reconsider was laid on the table.

On motion of Mr. Robertson the Senate went into executive session.

AFTER EXECUTIVE SESSION.

Upon the opening of the doors, the Lieutenant Governor and President of the Senate in the chair, the following named Senators were present:

Messrs. Aby, Augustin, Brian, Buffington, Cahen, Cunningham, Davey, Fontenot, Foster, Hagan, Harris, Leake, Lucas, Montan, Marston, Newton, Nunez, Nutt, Parlange, Pollock, Perry, Robertson, Rogers, Stewart, Settoon, Story, Walton, Watkins—28.

Absent—Messrs. Campbell, Demas, Estopinal, Kidd, Luckett, Steele, Simmes, Vance—8.

WITHDRAWAL OF A BILL FROM THE FILES OF THE SENATE.

Mr. Davey obtained unanimous consent to withdraw from the files of the Senate Senate bill No. 52, session of 1880.

On motion of Mr. Robertson the Senate adjourned until Monday, the fifteenth instant, at 12 o'clock m.

JOHN CLEGG, Secretary of the Senate.

JUDICIAL ADVERTISEMENTS.

NOTICES OF SPECIAL ACTS.

Notice.

NOTICE IS HEREBY GIVEN THAT I HAVE memorialized the General Assembly of the State of Louisiana, praying that the State either pay me for the Babcock Fire Extinguishers, etc., now in the State-House, belonging to me, or that the same be returned to me with compensation for their use.

J. B. MOORE, 9 Union street, New Orleans, La.

fe27 mh4 10 16 22 28

Notice to Whom It May Concern.

TAKE NOTICE THAT, UNDER AND BY virtue conferred on the Legislature by article 167 of the constitution of Louisiana, an act of the Legislature will be applied for by Joseph A. Garcia and others to organize a lottery privilege, to be known as the Crescent City Lottery of the State of Louisiana.

The object and purpose of this organized body is to establish a solvent home institution for the sale of lottery, policy and combination tickets, devices and certificates and fractional parts thereof, at terms and prices in just proportion to the prizes to be drawn, and to insure justice in the distribution of such prizes. The domicile of this lottery shall be in the city of New Orleans, State of Louisiana.

Joseph A. Garcia and associates shall furnish a security of $50,000 unto the Treasurer of the State for the prizes resulting from this lottery. The said Joseph A. Garcia and associates shall pay into the treasury of the State the sum of $40 000 annually, payable quarterly, and in advance, as provided by law; and said sum to be distributed as follows: $10 000 for the Shreveport Charity Hospital, and the remaining $30,000 for the benefit of the public schools throughout the parishes of the State.

And be it understood that this do not imply to any exclusive privilege whatever.

fe21 27 mh4 10 16 22*

Notice of Special Act.

NOTICE IS HEREBY GIVEN THAT THE undersigned will apply to the Legislature for the passage of an act to authorize him to sue the State of Louisiana.

fe15 21 27 mh4 11 16 THOMAS BRADY.

Notice to Whom It May Concern.

TAKE NOTICE THAT, UNDER AND BY virtue of the authority conferred on the Legislature by article 167 of the constitution of Louisiana, an act of the Legislature will be applied for to grant a lottery charter to Joseph A. Garcia, a resident of the State of Louisiana, and others, to compose a corporation organized under the laws of this State and known as the New Orleans Lottery of the State of Louisiana.

The object and purpose of the corporation for which said charter will be applied is to establish a solvent home institution for the sale of lottery, policy and combination tickets, devices and certificates, and fractional parts thereof, at terms and prices in just proportion to the prizes to be drawn, and to insure justice in the distribution of such prizes. The said corporation shall have its domicil in the city of New Orleans; shall have a president, vice president, directors, and such other officers as other corporations organized under the laws of this state usually have; shall be clothed with such powers and subject to such obligations as may be allowed and imposed by the laws and constitution of the State and by the articles of its corporation, and shall have a capital stock of $1,000,000, represented by 10,000 shares of $100 each, with a right to commence operation when $100,000 of said stock is subscribed and paid in. fe23 26 mh5 11 16 23

JUDICIAL ADVERTISEMENTS.

AUCTION SALES.

By the Sheriff of the Parish of Orleans

CONTINUATION OF SALE.

LARGE AND EXTENSIVE SALE

— BY THE —

CIVIL SHERIFF OF THE PARISH OF ORLEANS

— OF THE —

ENTIRE CONTENTS OF THE PREMISES, NO. 57 CAMP STREET,

Consisting of a large and well assorted lot of Stationery, Blank Books, Printing Presses, etc., Fixtures, etc.

IN THE MATTER OF A. H. NELSON VS. HIS CREDITORS.

Fifth District Court for the Parish of Orleans. No. 10,288.

BY VIRTUE OF AN ORDER OF SALE, OF date February 26, 1880, to me directed by the honorable the Fifth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, on the premises hereinafter designated, on TUESDAY, March 16, 1880, at 10 o'clock a. m., the following described property, to wit—

THE ENTIRE CONTENTS AND FIXTURES, etc., of the premises situated at No. 57 Camp street, in the First District of this city, and known as a stationery store, printing establishment and blank-book manufactory.

All as per inventory on file in my office.

Terms—Cash on the spot.

J. R. ALCEE GAUTHREAUX, Civil Sheriff of the Parish of Orleans.

mh15 2t

SHERIFF SALES.

Bernard Meyer vs. Adam Ohler.

FOURTH DISTRICT COURT FOR THE PARish of Orleans. No. 45,711—By virtue of a writ of seizure and sale, to me directed by the honorable the Fourth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, April 17, 1880, at 12 o'clock m., the following described property, to wit:

A CERTAIN LOT OF GROUND, together with the buildings and improvements thereon, and all the appurtenances thereunto belonging, situated in the Third District of this city, in the square bounded by Union, Greatmen, Bagatelle and Craps streets, measuring French measure, fifty feet front on Union street by one hundred and forty-five feet in depth, between parallel lines; which property was acquired by the defendant from John Jacob Losch, per act executed on the fourteenth of April, 1875, before M. T. Ducros, a notary in this city.

Seized in the above suit.

Terms—Cash on the spot.

J. R. ALCEE GAUTHREAUX, Civil Sheriff of the Parish of Orleans.

mh16 23 30 ap6 13 17

Daniel Traverson vs. Joseph Spencer and Marie Rose Spencer, his wife.

THIRD DISTRICT COURT FOR THE PARish of Orleans. No. 25,999—By virtue of a writ of fieri facias, to me directed by the honorable the Third District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, April 10, 1880, at 12 o'clock m., the following described property, to wit—

TWO CERTAIN LOTS OF GROUND, together with the buildings and improvements thereon, situated in the Second District of this city, and designated by the numbers nine and ten, in the square bounded by Canal, Customhouse, Dorgenois and Broad streets, having in American measure: Lot number nine, of an irregular form, two feet eleven inches four lines front on Customhouse street, one hundred feet in depth on the side toward Dorgenois street on the line dividing it from lot number ten, and one hundred and six feet five inches four lines in depth on the side toward Broad street, in an oblique line, thirty-eight feet eleven inches in the rear line; lot number ten measures thirty feet front on Customhouse street by one hundred feet deep. Said property having been acquired by defendant by purchase from George C. Hastings, by act passed before F. D. Seghers, notary public, on the first day of May, 1879.

Seized in the above suit.

Terms—Cash on the spot.

J. R. ALCEE GAUTHREAUX, Civil Sheriff of the Parish of Orleans.

mh9 16 23 30 ap6 10

LEGAL NOTICES.

THE STATE OF LOUISIANA.

SIXTH DISTRICT COURT FOR THE PARISH OF ORLEANS.

ROSALIE RICOURT VS. FRANCOIS BARES, HER HUSBAND—No. 10,821.

I HEREBY CERTIFY THAT ON THE NINTH day of February, 1880, judgment was rendered in this court in the following entitled suit, in the words and figures following, to wit:

No. 10,821—Rosalie Ricourt vs. Francois Bares, her husband.

On motion of P. O. Peyroux, attorney for plaintiff, and on producing due proof in support of said plaintiff's demand, the law and the evidence being in her favor,

It is ordered, adjudged and decreed that the judgment by default herein entered on the thirtieth day of January, 1880, be now confirmed and made final, and accordingly that there be judgment in favor of said plaintiff, Mrs. Rosalie Ricourt, wife of Francois Bares, and against defendant, Francois Bares, her husband, decreeing a separation of property between her and her said husband, and dissolving the community of acquests and gains existing between them, and authorizing said plaintiff to conduct and administer her own separate affairs as she may see fit and proper.

It is further ordered, adjudged and decreed that the said plaintiff, Mrs. Rosalie Ricourt, wife aforesaid, do have and recover of said defendant, Francois Bares, her said husband, the sum of one thousand dollars, with legal interest thereon from judicial demand, to wit: January 17, 1880, until paid, and costs of suit, with the privilege and mortgage by law allowed to married women on the property, movable and immovable, of their husband for the payment of their paraphernal rights.

Judgment rendered February 9, 1880.

Judgment signed February 16, 1880.

N. H. RIGHTOR, 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 sixteenth day of February, in the year of our Lord one thousand eight hundred and eighty.

fe17 27 mh16 ALF. MOSS, Deputy Clerk.

SUCCESSION NOTICES.

Succession of Jules P. Vaudricourt.

SECOND DISTRICT COURT FOR THE PARish of Orleans, No. 41,864—Whereas, H. J. Koppers has petitioned the court for letters of administration on the estate of the late Jules P. Vaudricourt, deceased. Notice is hereby given to all whom it may concern to show cause within ten days why the prayer of the said petitioner should not be granted.

By order of the court.

mh16 21 25* JOHN HEBBERT, Clerk.

Succession of Margarita Palliser, Widow of Jose Gonzales.

SECOND DISTRICT COURT FOR THE PARish of Orleans, No. 41,859—Whereas, Gregorio Palliser has petitioned the court for letters of administration on the estate of the late Mrs. Margarita Gonzales, deceased. Notice is hereby given to all whom it may concern to show cause within ten days why the prayer of the said petitioner should not be granted.

By order of the court.

mh11 16 20* JOHN HEBBERT, Clerk.

Interdiction of Mrs. Widow Paul Lagay.

SECOND DISTRICT COURT FOR THE PARish of Orleans, No. 35,772—Whereas, Paul Lagay has petitioned the court for letters of curatorship on the estate of Mrs. Widow Paul Lagay, deceased. Notice is hereby given to all whom it may concern to show cause within ten days why the prayer of the said petitioner should not be granted.

By order of the court.

mh7 11 16* JOHN HEBBERT, Clerk.

THE ST. CHARLES HOTEL

WILL OPEN FOR THE RECEPTION OF guests on MONDAY, sixth instant. During the summer the Hotel was put in thorough order and many modern improvements introduced to ensure the comfort of patrons. The house is unsurpassed in all that goes to make a FIRST-CLASS and ELEGANT HOTEL, and will continue to merit the popular favor which has been accorded it in the past.

Parties returning home will do well to call and look at FAMILY ROOMS before locating elsewhere.

oct 5 tf RIVERS & BARTHA.

JUDICIAL ADVERTISEMENTS.

SHERIFF SALES.

Ocean Towboat Company, W. H. McLellan, subrogated, vs. Charles Germaine et als.

THIRD DISTRICT COURT FOR THE PARish of Orleans, No. 25,868—By virtue of a writ of fieri facias, to me directed by the honorable the Third District Court for the parish of Orleans, and also by consent of parties in interest, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on FRIDAY, April 17, 1880, at 12 o'clock m., the following described property, to wit—

THE ONE UNDIVIDED HALF INTEREST of Charles Germaine, (one of the defendants) in and to the steam tug boat "Rochester," and her boats, engines, machinery, tackle, apparel, etc., said tug being of 167 48-100 burthen, having 157 3-10 feet in length, 21 feet in breadth and 9 1-10 feet in depth.

Now lying in the Mississippi river at "Bitters" wharf in the Third District of this city.

Seized in the above suit.

Terms—Cash on the spot.

J. R. ALCEE GAUTHREAUX, Civil Sheriff of the Parish of Orleans.

mh17 24 31 ap7 14 17

The Lafayette Fire Insurance Company of New Orleans vs. Timothy Tracy.

SIXTH DISTRICT COURT FOR THE PARish of Orleans, No. 10,822—By virtue of a writ of seizure and sale, to me directed by the honorable the Sixth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on THURSDAY, March 18, 1880, at 12 o'clock m., the following described property, to wit—

A CERTAIN LOT OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, situated in the Fourth District of this city, in that part thereof commonly called the Faubourg Livaudais, in the square bounded by Washington, Camp, Sixth and Magazine streets, and designated by the number twenty-four on a plan drawn by C. A. Hedin, civil engineer, under date of January 11, 1851, and deposited for reference in the office of L. R. Kenny, late a notary public in the parish of Jefferson, in this State. Which said lot measures, in American measure, thirty feet one inch and one line front on Camp street, by one hundred and sixty feet one inch and two lines in depth, between parallel lines. Being the same property acquired by defendant herein by purchase from Frank Von Der Haar by an act passed before M. Gernon, notary, on July 22, 1865, and also by purchase from the Lafayette Fire Insurance Company of New Orleans, as per act passed before A. Hero, Jr., notary, on the twenty-eighth of August, 1878. Last title registered in Conveyance Office in book 109, folio 618.

Seized in the above suit.

Terms and Conditions—This being the second and last auction, the said property will be definitely adjudicated to the highest and last bidder for what it will bring, at twelve months' credit, the purchaser furnishing bond, with good and solvent security, bearing 8 per cent interest per annum from date of sale, and special mortgage on the property sold until final payment. Said purchaser will have to deduct from his bid and pay in cash the amount of printing, sheriff's and clerk's fees, etc., say about one hundred dollars, and, furthermore, the State, parish and municipal taxes on said property, the amount of which is not yet ascertained.

J. R. ALCEE GAUTHREAUX, Civil Sheriff of the Parish of Orleans.

mh2 9 16 18

Mary O'Brien vs. Sarah A. Steele and James H. Steele.

SIXTH DISTRICT COURT FOR THE PARish of Orleans, No. 10,886—By virtue of a writ of seizure and sale, to me directed by the honorable the Sixth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, April 10, 1880, at 12 o'clock m., the following described property, to wit—

A CERTAIN LOT OF GROUND, together with all the buildings and improvements thereon, situated in the First District of this city, in the square bounded by St. Magdalene (now Claiborne), Common, Gravier and St. Adeline (now Derbigny) streets, and designated as lot number twenty-six on a plan of Louis H. Pilie, on the twelfth of May, 1843, deposited in the office of A. Mazureau, late notary in this city; said lot of ground measuring, English measure, twenty-seven feet front on St. Magdalene (now Claiborne) street by one hundred and twenty-two feet seven inches and two lines in depth, between parallel lines. Which property was acquired by James H. Steele by purchase from John Gainer, by act before S. Magner, late notary, on the twelfth of October, 1858, and by said Steele transferred to his daughter, Miss Sarah A. Steele, per act before M. Gernon, notary, on the seventh of May, 1878.

Seized in the above suit.

Terms—Cash on the spot.

J. R. ALCEE GAUTHREAUX, Civil Sheriff of the Parish of Orleans.

mh9 16 23 30 ap6 10

Widow Flavia Steph vs. Stephen Conran.

THIRD DISTRICT COURT FOR THE PARish of Orleans, No. 26,143—By virtue of a writ of seizure and sale, to me directed by the honorable the Third District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, April 10, 1880, at 12 o'clock m., the following described property, to wit—

A CERTAIN LOT OF GROUND, situated in the First District of this city, in the square bounded by Gravier, Miro, Perdido and Tonti streets, designated by the number twenty-five, and measuring twenty-seven feet six inches and two lines front on Gravier street, the same width on the rear line, and one hundred and thirty feet in depth, according to a plan made by J. Strebler on the seventh of June, 1873, deposited in the office of Theodule Buisson, a notary public in this city, together with all and singular the buildings and improvements thereon and the appurtenances thereof. Acquired by defendant herein by purchase from Jules Birot and Merestan Hanbuchon, by an act passed before T. Buisson, notary, on the twentieth of August, 1873, registered in the conveyance office of this parish in book one hundred and four, folio eighty-three.

Seized in the above suit.

Terms—Cash on the spot.

J. R. ALCEE GAUTHREAUX, Civil Sheriff of the Parish of Orleans.

mh9 16 23 30 ap6 10

Mrs. Lizzie D. Clarke vs. Clara Mary Hagan.

FIFTH DISTRICT COURT FOR THE PARish of Orleans, No. 10,535—By virtue of a writ of seizure and sale, to me directed by the honorable the Fifth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, April 10, 1880, at 12 o'clock m., the following described property, to wit—

THREE CERTAIN LOTS OF GROUND, situated, lying and being in the First District of this city, in the square bounded by Camp, St. Mary, Girod and South streets, and designated by the numbers one, two and three on a plan by Louis H. Pilie, surveyor, dated the ninet-enth of January, 1875, and deposited in the office of W. I. Hodgson, auctioneer, in this city, a sketch from said plan being annexed to an act passed in the office of George W. Duristy, notary in this city, on the twenty-seventh of March, 1875, for reference. Said lots adjoin each other, and measure each twenty feet front on Camp street by a depth of seventy-five feet, between equal and parallel lines, lot number one forming the corner of Camp and Girod streets. Together with all the buildings and improvements thereon, rights ways and advantages thereunto belonging, etc. Which said property belongs to the defendant herein by reason of the purchase she made of the same from the succession of James P. Hagan, by act before W. J. Castell, notary, on the fifth of December, 1875.

Seized in the above suit.

Terms and Conditions—1. In cash for the portion of plaintiff's claim now due, say two thousand four hundred dollars, with 8 per cent interest thereon from December 21, 1876, until the day of sale, 5 per cent on the aggregate amount thereof as attorney's fees, and all costs of suit and of the sale, and three dollars for copy of act.

2. The purchaser to assume payment of the note for two thousand four hundred dollars, secured by mortgage on said property, and maturing, on extension, April 7, 1880, and bearing 8 per cent interest from April 7, 1880, until paid; and also to assume all the obligations of the act of mortgage, to pay 5 per cent attorney's fees in case of suit, not to alienate the property to the prejudice of the mortgage, etc.

3. And the balance of the price of adjudication, if any, cash on the spot; and in case the price bid on the property should, after the deduction of the aforesaid fees and costs, in cash, be less than the aggregate amount of plaintiff's claim, with interest, as aforesaid, and of the note to be assumed as above set forth, then the purchaser to pay pro rata the plaintiff's aforesaid cash claim, and to assume pro rata the aforementioned note maturing April 7, 1880, to the extent of the balance of his bid over and above the fees and costs aforesaid.

J. R. ALCEE GAUTHREAUX, Civil Sheriff of the Parish of Orleans.

mh9 16 23 30 ap6 10

JUDICIAL ADVERTISEMENTS.

SHERIFF SALES.

Henry Freilsen vs. Annie M. Baldwin et als.

THIRD DISTRICT COURT FOR THE PARish of Orleans, No. 25,877—By virtue of a writ of seizure and sale, to me directed by the honorable the Third District Court for the parish of Orleans, and also by consent of parties in interest, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on TUESDAY, March 16, 1880, at 12 o'clock m., the following described property, to wit—

A CERTAIN SQUARE OF GROUND, with all the buildings and improvements thereon, and all the rights, ways, privileges and appurtenances thereunto belonging or in anywise appertaining, situated in the First District of the city of New Orleans, in the State of Louisiana, comprised within Broad, Gasquet (late Jackson), White and Canal streets, containing thirty-six lots of ground, numbered from one to thirty-six inclusive, as per plan drawn by J. N. Tourne, dated June 16, 1857, and deposited for reference in the office of B. J. Ker, a notary public in said city of New Orleans, which said lots measure as follows, viz: Lots numbers one, two, three and four have each thirty feet front on Canal street by a depth of one hundred and twenty-nine feet ten inches and three lines, between parallel lines, lot number one forming the corner of Canal and White streets; lots numbers five to twelve inclusive measure each thirty feet front on Canal street by one hundred and fifty-nine feet ten inches and three lines in depth, between parallel lines; lots numbers thirteen, fourteen and fifteen measure each thirty-two feet front on Canal street by one hundred and thirty-nine feet nine inches and three lines in depth; lot number sixteen forms the corner of Canal and Broad streets, and measures thirty-two feet nine inches and five lines front on Canal street by one hundred and thirty-nine feet nine inches and three lines in depth and front on Broad street; lots numbers seventeen to twenty-two inclusive measure each thirty feet front on Broad street by the following depths, viz: Lot number seventeen has a depth of one hundred and thirty feet four inches and three lines; lot number eighteen has a depth of one hundred and thirty feet eight inches and six lines; lot number nineteen has a depth of one hundred and thirty-one feet one inch and one line; lot number twenty has a depth of one hundred and thirty-one feet five inches and four lines; lot number twenty-one has a depth of one hundred and thirty-one feet nine inches and seven lines, and lot number twenty-two has a depth of one hundred and thirty-two feet two inches and two lines on the line of lot number twenty-one, and a depth of one hundred and thirty-two feet seven inches on the other line and front on Gasquet street, of which it forms the corner. Lots numbers twenty-three to thirty, inclusive, have each thirty feet front on Gasquet street by one hundred and fifty-nine feet ten inches and three lines in depth between parallel lines. Lots numbers thirty-one to thirty-four, inclusive, have each thirty feet front on Gasquet street by one hundred and twenty-nine feet ten inches and three lines in depth, between parallel lines, lot number thirty-four forming the corner of White and Gasquet streets. Lots numbers thirty-five and thirty-six have each thirty feet front on White street by one hundred and twenty feet in depth.

Seized in the above suit.

Terms—Cash on the spot.

J. R. ALCEE GAUTHREAUX, Civil Sheriff of the Parish of Orleans.

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The Commissioners of the Southern Bank in Liquidation vs. Dr. Thos. Layton.

SIXTH DISTRICT COURT FOR THE PARish of Orleans, No. 10,848—By virtue of a writ of seizure and sale, to me directed by the honorable the Sixth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, March 20, 1880, at 12 o'clock m., the following described property, with the buildings and improvements thereon, to wit—

1. TWO CERTAIN LOTS OF GROUND, situated in the Fourth District of this city, designated by the numbers one and two, in square number twenty, bounded by Constance, First, Magazine and Phillip streets, on a plan drawn by Journat, late surveyor, on the twentieth of April, 1858; said lots adjoin each other and measure each,