The New Orleans Crescent.

OFFICIAL JOURNAL OF THE CITY OF NEW ORLEANS.

WEDNESDAY MORNING, OCTOBER 28, 1868.

# LAWS OF LOUISIANA.

[No. 158.]

JOINT RESOLUTION APPROPRIATING THE SUM OF THREE HUNDRED DOLLARS ($300) TO THE WIDOW OF MICHAEL BUTLER, POLICE OFFICER OF THE CITY OF NEW ORLEANS, WHO WAS MURDERED WHILE IN THE DISCHARGE OF HIS DUTIES.

WHEREAS, Michael Butler, a police officer of the city of New Orleans, was brutally murdered while in the discharge of his duty on the night of the fourteenth of September, one thousand eight hundred and sixty eight, and whereas his death leaves a widow in destitute circumstances; therefore

*Be it resolved by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That the sum of three hundred dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, to the widow of Michael Butler, and that the same be paid to her by the State treasurer upon the warrant of the State auditor.

Adopted in General Assembly in the city of New Orleans, this twelfth day of October, in the year of our Lord one thousand eight hundred and sixty eight.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) OSCAR J. DUNN,
Lieutenant Governor and President of the Senate.
Approved October 17, 1868.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
GEO. E. BOVEE,
Secretary of State.

[No. 159.]

AN ACT TO INCORPORATE THE MANDEVILLE AND SULPHUR SPRINGS RAILROAD COMPANY.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That H. Alexander, W. S. Mount, John Roches, C. M. Soria, N. Page, M. Candron and their associates be and are hereby specially made a body corporate under the name and style of the Mandeville and Sulphur Springs Railroad Company, and under this name shall exist for the term of fifty years and shall be capable, for the purpose enumerated in this act and for all other purposes incident to like corporations, of buying, selling and mortgaging all kinds of real estate and other kinds of property, of suing and being sued in any of the courts of law and equity of this State, of having a common seal and of altering it at pleasure.

SEC. 2. *Be it further enacted, etc.*, That the capital stock of the company is fixed at the sum of one hundred thousand dollars, to be divided into shares of one hundred dollars each, to be paid in such manner as the first board of directors of said company shall deem proper.

SEC. 3. *Be it further enacted, etc.*, That the said company is hereby authorized and empowered to survey, locate and fix, construct, alter, maintain, work and repair a railroad with one or more tracks from the lake shore, at Mandeville, to Sulphur Springs, with such other branches as the company may deem proper or expedient to create and facilitate business, to carry, transport and convey property and persons, and the mails, troops and ammunitions of war of the United States, or any of the States thereof, upon said road and branches by steam power or any other power or combination of power, proper to be used thereon, and to hold and own said road and branches, and the lands and tenements attached thereto.

SEC. 4. *Be it further enacted, etc.*, That the said company is authorized to accept and receive to its use for the purposes of constructing, using and keeping in repair said railroad any grant, gift, donation, loan, power, franchise, aid or assistance which may be granted to or conferred upon it by the Legislature of this State or of any one of the Federal States or laws of the United States or by any person or persons on such terms and conditions as may be annexed to or imposed on the grant thereof.

SEC. 5. *Be it further enacted, etc.*, That said company shall have the right of way through all lands owned by the State of Louisiana for the breadth of one hundred feet on each side, and be authorized to cut and use the timber and such other materials therein as they see fit within one mile on either side for the purposes of said road; *Provided*, That this privilege of cutting timber shall continue so long as the land shall remain the property of the State.

SEC. 6. *Be it further enacted, etc.*, That the business of said company shall be conducted at its domicile at Sulphur Springs by a board composed of five directors who shall be stockholders, three of whom shall form a quorum to transact business, and three of the incorporators named in this act shall open books in order to obtain subscriptions to the capital stock of said company, and as soon as one-quarter or the whole is taken, the books shall be closed, and a meeting called for the purpose of electing directors to serve for two years by giving thirty days' notice in any newspaper published in the city of New Orleans. They shall hold their office for two years or until their successors in office are elected and qualified. At all elections by the stockholders, and all their meetings, each share shall be entitled to one vote. Votes may be given in person or by proxy.

SEC. 7. *Be it further enacted, etc.*, That the directors at their first meeting shall elect a president, treasurer and secretary, from amongst their number, and their term of office shall expire with that of the directors at the end of every two years; at their first meeting they shall decide on the manner of paying for the subscriptions to the stock of the company: *Provided*, That not more than twenty per cent. shall be called for every six months, and in case of any subscriber failing to pay any installment on his stock as required, the board of directors shall have the option, after thirty days' written notice to the defaulter, of forfeiting the stock and selling it for the benefit of the company, and compelling by suit payment of so much of the amount subscribed by him as his stock so sold, fails to pay, and no stockholder shall be permitted to vote either in his own right or as proxy, nor to serve as a director, while in default.

SEC. 8. *Be it further enacted, etc.*, That the said railroad company, if necessary, may issue and dispose of its bonds, bearing not more than eight per cent interest payable in New York, London, Paris, Amsterdam or elsewhere, and having such time to run as the board of directors may fix, in order to raise the necessary funds to build said road and branches. Said bond shall only be issued by a vote of two thirds of the stock represented at a called meeting for that purpose. It may contract for the furnishing of iron, equipments and other necessary materials, supplies or labor, on such credit as it may deem proper; may mortgage the property of the company, if necessary to secure the payment of such contracts; may make payments of stocks, and may hypothecate the road itself to secure the payment of the bonds issued by the company.

SEC. 9. *Be it further enacted, etc.*, That in the event of the State of Louisiana, city of New Orleans or any other incorporated body in this State should become subscribers to the capital stock of said company, that said company may receive payment for stocks in bonds of the State of Louisiana or city of New Orleans; *Provided*, That said subscriptions shall amount in each case to twenty-five thousand dollars.

SEC. 10. *Be it further enacted, etc.*, That all rules relating to the declaring of dividends or division of profits, and all other rules or by-laws for the proper and regular transaction of business may be made by the board of directors. Stock books shall be kept in the office of the company at its domicile. Certificates of stock shall be issued to the stockholders, and no transfer of stock shall be binding on the company until made on its stock books.

SEC. 11. *Be it further enacted, etc.*, That the president of the company shall be the proper officer upon whom all citations shall be served in all suits brought against the company, and may be made either on him in person or by leaving a copy to his address at the office of the company in the hands of any of its officers.

SEC. 12. *Be it further enacted, etc.*, That no stockholder shall be held liable for losses of the company to any greater amount or extent in the whole than the amount of stock subscribed for or taken by such stockholder.

SEC. 13. *Be it further enacted, etc.*, That said company may extend their road in a north or northeasterly direction, and increase the capital stock of the company one hundred thousand dollars for every ten miles of road to be built, by a vote of two-thirds of the stock represented at a called meeting for that purpose.

SEC. 14. *Be it further enacted, etc.*, That it shall be the duty of the board of directors to furnish a detailed statement of the affairs of the company to the stockholders once a year, and dividends, if any, declared and paid over semi-annually or annually, as the case may be, and it shall be the duty of the company, at all times, to keep printed copies of this charter and of their by-laws, placed in conspicuous places in their office or offices, so that the public may know and be kept advised as to the rights and duties of said company, which company shall have the right to keep an office in or out of this State.

SEC. 15. *Be it further enacted, etc.*, That whenever the dissolution of the corporation shall render necessary its liquidation, three commissioners shall be elected by the stockholders, whose duty it shall be to take possession of the road and other property of the company and conduct its business to a final liquidation on such terms and in such manner as shall be determined by a meeting of the stockholders regularly convened for that purpose, and if at the expiration of the present charter a majority of the stockholders in number and amount shall desire to renew the same for a further term, the stockholders dissenting from the renewal shall be bound to transfer their stock to those desiring the renewal, at its fair value, to be fixed by appraisers mutually chosen for the purpose.

SEC. 16. *Be it further enacted, etc.*, That this act shall take effect and be in force from and after its passage.

(Signed) CHAS. W. LOWELL,
Speaker of the House of Representatives.
(Signed) OSCAR J. DUNN,
Lieutenant Governor and President of the Senate.
Approved October 14, 1868.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
GEO. E. BOVEE, Secretary of State.

[No. 160.]

AN ACT TO AMEND AND RE-ENACT THE THIRTY-FOURTH SECTION OF AN ACT ENTITLED "AN ACT RELATIVE TO CRIMINAL PROCEEDINGS," APPROVED MARCH 14, 1855.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That the thirty-fourth section of an act entitled "An act relative to criminal proceedings," approved March 14, 1855, be and the same is hereby amended and re-enacted so as to read as follows: Whenever any person shall be accused of any breach of the peace, crime or misdemeanor, by the oath of one or more credible witnesses, it shall be the duty of the justice of the peace or committing magistrate or judge before whom the accusation is brought to receive the complaint and to cause the accused to be arrested, and if the offense for which the accused is so arrested be one that may subject the party to capital punishment or to imprisonment in the penitentiary, the accused shall, when arrested, be brought before either the district judge of the district or the parish judge of the parish in which the offense may be charged to have been committed, and to be proceeded on and examined according to law.

When the person so accused shall have been brought before the justice or magistrate, if the offense be not punishable as stated in the above paragraph, or the district or parish judge if punishable as stated in the above paragraph, it shall be his duty to examine on oath such witnesses as may appear against him and to reduce their deposition to writing. It shall also be his duty to receive the voluntary declarations of the person accused, and the answers which without promise or threat, he shall make to the questions which the examining judge or magistrate shall put to him and to cause them to be reduced to writing, and signed by the prisoner in his presence and that of two witnesses, or if he cannot sign to mention that circumstance and to certify the declaration with his signature and that of two witnesses, which declaration thus certified and signed, shall be evidence before the grand and petit jury.

After the examination shall be thus made, if it shall appear from the testimony of the witnesses that a breach of the peace, crime or misdemeanor has been committed by the accused, it shall be the duty of the parish judge, if the examination has been made before him, to send the accused to jail under the custody of the sheriff or constable, if the crime be punishable with death, and of the district judge, if the examination has been made before him, to send the accused to jail if the crime be punishable with death and the proof evident or presumption great.

If the offense or crime charged may be punishable by imprisonment in the penitentiary, the district or parish judge may set him at liberty upon his giving bond with approved security for such sum as the judge shall fix, and if the offense be punishable with less severe penalties, the accused shall be set at liberty upon his giving bond with approved security for such sum as the magistrate or judge shall fix, said bond shall be conditioned for the appearance of the party accused at the next parish or district court, as may be stated in the bond, in the parish in which the offense shall have been committed; if he be unable or refuse to give bond with such security the magistrate or judge, as the case may be, shall commit him to prison until he be delivered in due course of law.

The district and parish judges shall have jurisdiction as committing magistrate in all cases.

SEC. 2. *Be it further enacted, etc.*, That all laws or parts of laws contrary to the provisions of this act be and the same are hereby repealed, and that this act shall take effect from and after its passage.

(Signed) CHAS. W. LOWELL,
Speaker of the House of Representatives.
(Signed) OSCAR J. DUNN,
Lieutenant Governor and President of the Senate.
Approved October 17, 1868.
H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
GEO. E. BOVEE,
Secretary of State.

[No 161]

AN ACT TO REGULATE AND DEFINE THE DUTIES AND TO STIPULATE THE JURISDICTION AND EMOLUMENTS OF CORONER.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That a coroner shall be elected in each parish by the qualified electors thereof, except in the parish of Orleans, in which there shall be two coroners so elected, one to perform the duties of coroner on the left bank, below middle of Canal street, in said parish, and the other to perform the duties of coroner on the left bank, above middle of Canal, and also in that part of the parish known as Orleans right bank; that said coroners shall hold their offices for the term of two years respectively; that an election for said coroners having been held in accordance with the provisions of the Constitution adopted March 7, one thousand eight hundred and sixty-eight, articles one hundred and fifty-three (153) and one hundred and fifty-four (154), future elections shall be held every two years thereafter, to wit, on the seventeenth and eighteenth days of April, whenever the said days shall not fall on Sundays or legalized holidays, and when they or either of them shall so fall, on the nearest secular day or days thereafter respectively; that every coroner shall take the oath prescribed by the Constitution, and shall give bond and security according to law, in the parish of Orleans, in the sum of twenty-five thousand dollars, and in the other parishes of the State, in the sum of two thousand dollars, for the due performance of the duties of his office. Should a vacancy occur subsequent to an election, it shall be filled by the governor, and the person so appointed shall continue in office until his successor shall be elected and qualified.

SEC. 2. *Be it further enacted, etc.*, That no person shall be eligible for the office of coroner, either by election by the people, or appointment by the governor of the State, who is not a lawful citizen of the State, of fair education, good moral character, and possessed of general business qualities, and that it shall not be necessary that he shall have had a medical or surgical education, or have been a regular practitioner of either branch of science.

SEC. 3. *Be it further enacted, etc.*, That the coroner shall be a conservator of the peace.

SEC. 4. *Be it further enacted, etc.*, That in case of vacancy in the office of sheriff, the coroner for the portion of the parish of Orleans on the left bank below the middle of Canal street, shall execute the duties of sheriff of the criminal court; and the coroner for the portion of the said parish on the left bank above the middle of Canal street, and on the right bank shall execute the duties of sheriff of the civil courts until the appointment or election of a new sheriff; and while acting as said sheriff, the coroner shall receive the same fees as are allowed by law to the sheriff. In country parishes the coroner shall in like manner fill vacancies in the office of sheriff.

SEC. 5. *Be it further enacted, etc.*, That it shall be the duty of the coroner on being informed of the violent death of any person within his jurisdiction, the cause of which is unknown, immediately to proceed to view the body and make all proper inquiry respecting the cause and manner of the death; and if from such inquiry he shall be satisfied that no person has been guilty of causing or procuring the death, and that there are no suspicious circumstances attending it, he shall, without further proceedings therein, deliver the body to the friends, if any there be, for interment; in case there are no friends who will take charge of the body, and if the deceased shall not have left property sufficient to pay the expenses of the burial, then it shall be the duty of the coroner to bury it.

SEC. 6. *Be it further enacted, etc.*, That where inquests are not held the coroner shall issue a certificate of the following or similar import: I, —— coroner of the parish (or district, as the case may be,) of ——, having been notified of the death of ——, and having viewed the body of the said ——, and made inquiry respecting his death, do certify that I am satisfied no guilt attaches to any person by reason of the death, and that an inquest is unnecessary. And where it shall have become necessary for the coroner to bury the dead body, the certificate shall continue and say: That the deceased has no friends who appear to take charge of and bury his body, nor as I can ascertain, has he left property sufficient to defray the expenses thereof, I have, therefore, buried the same; and this certificate shall be filed in the office of the clerk of the country parishes and in the clerk's office of the Fourth District Court in the parish of Orleans.

SEC. 7. *Be it further enacted, etc.*, That if the coroner shall have reason to suspect that the person whose body he shall be called to view came to his death by violent means, then, and not otherwise, it shall be his duty forthwith to proceed and take inquest of said death.

SEC. 8. *Be it further enacted, etc.*, That in the parish of Orleans the jurisdiction and duties of the coroner for the portion of that parish on the left bank below the middle of Canal street shall extend and shall be confined to inquisitions on subjects found or brought within the said limits, and that the jurisdiction and powers of the coroner for the portion of the parish above the middle of Canal street, and on the right bank, shall extend and be confined to inquisitions on subjects found or brought within these said limits: *Provided*, That nothing herein contained shall be construed as preventing, prohibiting or forbidding persons finding the bodies of drowned persons in the river from notifying the nearest coroner thereof, or as releasing the said coroner from the duty of forthwith holding an inquest thereon.

SEC. 9. *Be it further enacted, etc.*, That when inquest is to be held the coroner shall summon forthwith five citizens residing in the parish to appear before him, at the time and place expressed in the summons, then and there to inquire upon view of the body of —— there lying dead, when and by what means he came to his death.

SEC. 10. *Be it further enacted, etc.*, That if any person summoned as a juror shall fail to appear, without reasonable excuse therefor, he shall forfeit the sum of twenty-five dollars. All forfeitures under this section in New Orleans and Jefferson may be recovered for the benefit of the Charity Hospital of New Orleans, by suit to be brought by the administrators of the hospital. In the country parishes all forfeitures recovered under this section shall be deposited in the parish treasury and for the use of said parish, by suit to be brought before a justice of the peace in the name of the police jury thereof.

SEC. 11. *Be it further enacted, etc.*, That when the jurors who have been summoned appear, the coroner shall call over their names, and then, in view of the body, he shall administer to them the following oath: "You solemnly swear that you will diligently inquire and true presentment make, on behalf of the State, when and by what means the person whose body here lies came to his death; and that you will return a true inquest thereof, according to your knowledge and such evidence as shall be laid before you, so help you God." If any of the five jurors shall not appear, the coroner shall summon jurors from the bystanders to complete the number of the jury.

SEC. 12. *Be it further enacted, etc.*, That the coroner may summon witnesses at such time and place as he shall direct; the persons summoned shall, for non attendance or refusal to testify, be subject to the same penalties, to be expressed in the summons as if they had been served with a subpœna on behalf of the State to attend a justice's court. It shall be the duty of the coroner, if adjudged necessary either by himself or by a majority of the jury, in order to ascertain the cause of death, to order a post mortem examination, whether surgical only, or chemical also, to be made on the body of the subject of the inquisition, by competent medical practitioners; and the expense of such post mortem examinations shall be paid by the parish or municipal authorities within whose jurisdiction the inquests shall be held.

SEC. 13. *Be it further enacted, etc.*, That the coroner shall administer the following oath to all witnesses:

"You solemnly swear that the evidence you are required to give on this inquest shall be the truth, the whole truth and nothing but the truth; so help you God."

SEC. 14. *Be it further enacted*, That the testimony of all witnesses examined on any inquest shall be reduced to writing and subscribed by the witnesses.

SEC. 15. *Be it further enacted*, That the jury, upon the inspection of the body, and after hearing the testimony of witnesses and making all needful inquiries, shall sign and deliver to the coroner their inquisition, under their hands, in which they shall certify when and by what means of deceased came to his death, and his name, if it is known, together with all material circumstances attending his death, and if it shall appear that the deceased was feloniously killed, the jurors shall further state who were charged with being guilty, either as principals or accessories, if known, or with being in any manner the cause of his death, which inquisition may be in substance as follows: An inquisition taken at ——, in the —— day of ——, in the year ——, before the coroner of the parish (or portion of the parish, in the case of the parish of Orleans) of ——, upon view of the body of ——, (or of an unknown person) there lying dead. The jurors whose names are hereunto subscribed having been sworn to inquire on behalf of the State when and by what means said —— came to his death upon their oath do say; [then —— insert when, how and by what person or persons, means, weapons or instruments he was killed.] In testimony whereof the coroner and jurors of this inquest have hereunto subscribed their names, the day and year above stated.

SEC. 16. *Be it further enacted, etc.*, That if the jury find that any murder or manslaughter has been committed on the deceased, the coroner shall bind over, by recognizance, such witnesses as he shall think proper to appear and testify at the next court to be held in the parish at which an indictment for such an offense can be found; he shall also return to the court the inquisition, written evidence and all recognizance and examination by him taken, and may commit to the jail of the parish any witnesses who shall refuse to recognize in such manner as he shall direct.

SEC. 17. *Be it further enacted, etc.*, That if any person charged by the inquest with having committed such offense shall not be in custody, the coroner shall arrest and conduct him before some committing magistrate in the parish in which the inquest is held, to be examined and proceeded with according to law.

SEC. 18. *Be it further enacted, etc.*, That the expenses of the inquest, with the coroner's fees, shall be paid by the parish, incorporated city or town within which the inquest shall be held, when the coroner shall make out an account of the expenses of the inquest, and certify under oath that the charges are no more than allowed by law, and in case the charges in the certified account exceed those allowed by law, he shall be liable to the penalties of perjury.

SEC. 19. *Be it further enacted, etc.*, That any coroner shall, in case of sickness or necessary absence, have power to appoint a deputy to perform his duties. Said deputy shall possess the qualifications required for the office of coroner specified in section two of this act; and the coroner appointing him shall be responsible for his acts, and shall pay him out of the fees to which the said coroner may be entitled.

SEC. 20. *Be it further enacted, etc.*, That a coroner shall receive for every inquest held, twenty-five dollars; for every viewing of a body in which no inquest is held, five dollars; for every burial performed at his expense, twelve dollars; and for all other fees, including the swearing and qualifying of a jury, the administering of oaths, the returning of the *proces verbal*, and the summoning of witnesses, five dollars.

SEC. 21. *Be it further enacted, etc.*, That no other fees than those specified in the foregoing section "twenty" of this act, shall be allowed to any coroner, any law or ordinance to the contrary notwithstanding; *Provided*, That nothing in this act shall be construed as prohibiting the payment by parish or municipal authorities, of necessary or unavoidable expenses, being certified to as necessary or unavoidable by the coroner and a majority of the jury.

SEC. 22. *Be it further enacted, etc.*, That every person who shall serve as a juror on any inquest shall be allowed the sum of two dollars for each day he shall so serve, and, in other parishes of the State than that of Orleans, five cents for every mile he shall necessarily travel to attend such inquest and to return home: *Provided*, That mileage shall in no case be allowed more than once going to and once returning from the said inquest; *and provided further*, That no mileage shall be allowed in the parish of Orleans.

SEC. 23. *Be it further enacted, etc.*, That it shall be the duty of the coroner, immediately after the jury shall have been discharged, to deliver to each juror a certificate specifying the number of days he has attended, the distance for which he shall be entitled to receive mileage, and the amount due, which shall be ascertained by the oath of the juror, to be administered by the coroner, and such certificate shall be receivable in payment of parish taxes, or paid out of any money in the parish treasury not otherwise appropriated.

SEC. 24. *Be it further enacted, etc.*, That it shall be the duty of every coroner throughout the State to transmit to the General Assembly of the State, through the governor of the State, within ten days after the opening of every regular session of the said General Assembly, a report of the inquests held by him, of bodies viewed by him without inquest being held, and of bodies buried by him, specifying the name, if known, of the deceased, the verdict of the jury in each case in which an inquest shall have been held, the cause of death in which he shall have viewed bodies but shall have adjudged an inquest unnecessary, and the total amount of fees received by him during the period covered by his report.

SEC. 25. *Be it further enacted, etc.*, That any person who shall have knowledge of a drowned person, or shall find a corpse adrift, shall be authorized to take it ashore, and shall be required to cause notice to be given to the nearest coroner having jurisdiction; *Provided*, That in case a coroner cannot be notified in time to hold an inquest thereon forthwith, a justice of the peace of the neighborhood, or two witnesses, shall be immediately called to view the body, ascertain its condition, and draw up a *proces verbal* thereof, to be forthwith transmitted to the coroner.

SEC. 26. *Be it further enacted, etc.*, That all laws contrary to the provisions of this act, and all laws on the same subject matter, except what is contained in the Civil Code and the Code of Practice, be and they are hereby repealed.

SEC. 27. *Be it further enacted, etc.*, That this act shall take effect from and after its passage.

(Signed) CHAS. W. LOWELL,
Speaker of the House of Representatives.
(Signed) OSCAR J. DUNN,
Lieutenant Governor and President of the Senate.
Approved October 17, 1868.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
GEO. E. BOVEE,
Secretary of State.

[No. 162.]

AN ACT PROVIDING FOR THE FREE PASSAGE OF CHILDREN ATTENDING FREE PUBLIC SCHOOLS OVER ALL PUBLIC FERRIES OR ROADS OVER WHICH THE STATE HAS COMPLETE JURISDICTION.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That the free right of passage or conveyance over all the public ferries, bridges and roads (except the ferries on the Mississippi river) which are rented out by the State or parish or over which the State or parish exercises any control, or for which license is paid or toll exacted, be and is hereby granted to all children on foot attending free public schools, and that no tolls or fees shall be demanded or exacted from said children by the keepers or attendants of said ferries, bridges or roads in their passage to and from school, between the hours of seven o'clock A. M., and nine o'clock A. M. and four o'clock P. M. and six o'clock P. M.; *Provided*, That on Sundays and school holidays no scholar shall have the right to cross such ferries, bridges or roads on terms different from those of any ordinary passenger.

SEC. 2. *Be it further enacted, etc.*, That this act have effect from and after the establishment of free public schools throughout the State, and that it shall not apply to any lessee of a public ferry whose contract or lease was made previous to the date of this act.

(Signed) CHAS. W. LOWELL,
Speaker of the House of Representatives.
(Signed) OSCAR J. DUNN,
Lieutenant Governor and President of the Senate.
Approved October 17, 1868.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
GEO. E. BOVEE,
Secretary of State.

[No. 175.]

AN ACT ENTITLED AN ACT TO REGULATE THE APPOINTMENT OF DEPUTY SHERIFS IN THE PARISHES OF ORLEANS, JEFFERSON AND ST. BERNARD, AND TO RESTRICT THE POWERS OF SHERIFFS IN THE METROPOLITAN POLICE DISTRICT TO THE DISCHARGE OF THE DUTIES IMPOSED UPON THEM BY LAW.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That the right of the sheriffs of the Parishes of Orleans, Jefferson and St. Bernard to appoint or qualify deputies shall be restricted to the number necessary to execute the process of the courts and to do and perform all such duties as may be required by law necessary for the faithful administration of justice in the respective parishes.

SEC. 2. *Be it further enacted, etc.*, That whenever it becomes necessary in either of the parishes of Orleans, Jefferson or St. Bernard, for the sheriffs, or either of them, in the execution of any legal process or warrant within their jurisdiction, to obtain additional force to enable him to do so, he shall make application in writing to the Board of Metropolitan Police, who shall immediately instruct the superintendent of metropolitan police to give to the sheriff applying the necessary assistance to enable him to execute the process.

SEC. 3. *Be it further enacted, etc.*, That it is hereby made the duty of the sheriffs of the parishes of Orleans, Jefferson and St. Bernard, within five days after the passage of this act, to furnish the Board of Metropolitan Police with a list of the names of all the deputies in their employ, together with a statement of the duties they perform; and thereafter, whenever either of said sheriffs shall make an appointment of a deputy, he shall, before the deputy enters upon the discharge of his duties, make like report to the Board of Metropolitan Police.

SEC. 4. *Be it further enacted, etc.*, That upon all occasions of emergency or apprehension of riot, tumult, mob, insurrection, or pestilence, all power and authority shall be vested in and exercised exclusively by the Metropolitan Police Board, and on days of election they shall exercise exclusive control, make all rules and regulations for the preservation of order at the polls, and enforce the same through the agency of the metropolitan police force, and it is hereby declared to be a misdemeanor for any sheriff, or deputy, in either of the parishes of Orleans, Jefferson or St. Bernard to do any act or exercise any authority by virtue of any appointment or commission as sheriff or deputy prohibited by this act, and any sheriff or deputy so offending shall, on conviction, suffer the penalties prescribed in section twenty-six of an act entitled an act to create a metropolitan police district, approved September fourteen, eighteen hundred and sixty eight.

SEC. 5. *Be it further enacted, etc.*, That all laws or parts of laws in conflict with this act be and they are hereby repealed.

SEC. 6. *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) OSCAR J. DUNN,
Lieutenant Governor and President of the Senate.
Approved October 21, 1868.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
GEO. E. BOVEE,
Secretary of State.

BUENA VISTA ENGLISH
—AND—
CLASSICAL SCHOOL.

Having returned (after an absence of three years) to my former home, in the immediate vicinity of Franklin, Tenn., I will open on MONDAY, the 10th of September next, an English and Classical School, for the education of Boys.

The locality of this Institution is delightful, combining all the advantages of town and country. The grounds are ample and have been again beautified and adorned with ornamental tree and shrubbery. The building is large and well ventilated, and admirably adapted for School purposes. The house has been recently furnished from cellar to garret, and is now being repainted, repapered, reclaimed and repurified, so that no locality in the whole country will be more healthful.

The discipline of the School will be mild and parental, but firm and decided, and every effort will be made to develop the physical, intellectual and moral faculties of the pupil. The Principal of the School is prepared to board ten or Twelve Scholars.

Terms for Session of Five Months:

Tuition in Primary Department ..... $25 0
Higher Branches of Mathematics and Classics, each extra 5 00
Board per month, including fuel and lights ..... 30 00
Contingent fee ..... 1 0

Washing at laundress' prices.

JAMES McNUTT, Principal.

References from Tennessee—Col. Jno. McGavock, Gen. M. F. DeGraffenreid, Col. W O'N. Perkins, R. H. Bradley, Esq., Col W. S. McLemore, J. B. McEwen, Esq., Col. John L. House, Rev. A. N. Cunningham, D. D., Rev. Francis H. Davis, Dr. John S. Park, John Carter, Esq., R. M. Ewing, Esq., Judge P. G. S. Perkins, J. W. Neely, Robt. P. Moseames Allison.

References from Virginia—Hon. Andrew S. Fulton, Dr. R. W. Sanders, Gen. Wm. Terry, C. S. A., Randal McGavock, Esq., Saml. R. Crockett, Esq., Thomas Wood, Esq., Rev. F. Lacy, J. C. Graham, C. C. Tate, Stephen McGavock, James M. Wherry, Wythe county; Gen. James A. Walker, Dr. Edwin S. Wasson, J. B. Alexander, Esq., Rev. Danl. B. Ewing, James M. Cloyd, Esq., Pulaski county.

STORAGE IN BOND.

U. S. BONDED WAREHOUSE, NO. 4,

Corner Peters and Conti Streets.

The IMPORTERS BONDED WAREHOUSE COMPANY receive on storage at low rates, Merchandise of all kinds in their A No. 1 FIRE PROOF BUILDINGS.

Parties storing in these Warehouses PARTICIPATE IN THE PROFITS of the Company. See tariff, which can be had on application at the Warehouse.

HENRY TREMOULET,
President pro tem.

WESTERN LANDS AND SECURITIES.

In addition to Government, State and Railroad Bonds and Stocks, we buy and sell Lands in Illinois, Wisconsin, Minnesota, Iowa, Missouri, Kansas and Nebraska.

The highest price paid for titles to LANDS SOLD FOR TAXES.

We also purchase at best rates LAND WARRANTS and DISCREDITED WESTERN COUNTY, CITY AND TOWN BONDS.

Correspondence solicited, and any information required, furnished without charge. Address

AUSTIN CORBIN & CO.,
Bankers, New York City.

## OFFICIAL.

MAYORALTY OF NEW ORLEANS,
City Hall, Oct. 27, 1868.

[No. 1091—N. S.]

*Resolved*, That by virtue of the authority vested in the Common Council of the city of New Orleans, by section 128 of the statute of 1856, known as the city charter, Samuel Weeks, superintendent of the Fire Alarm Telegraph, be and he is hereby removed from said office because of want of confidence of said Common Council in said Samuel Weeks.

(Signed) ALFRED KEARNY,
President Board Assistant Aldermen.
(Signed) THOMAS MARKEY,
President Board Aldermen.
Approved Oct. 27, 1868.
(Signed) JOHN R. CONWAY, Mayor.
A true copy:
JOHN W. OVERALL, Secretary.

MAYORALTY OF NEW ORLEANS,
City Hall, Oct. 22, 1868.

[No. 1082—N. S.]

WHEREAS, There is a great want of commercial facility to connect the Jackson Railroad depot with the river front, in the upper portion of the city, owing to the want of paved streets; therefore, be it

*Resolved*, That the controller be and he is hereby authorized, after five days' notice in the official journal to adjudicate a contract to the lowest bidder or bidders to shell and grade Magnolia street, between Washington street and Felicity Road, the work to be performed in strict accordance with plans and specifications on file in the office of the city surveyor.

(Signed) ALFRED KEARNY,
President Board Assistant Aldermen.
(Signed) THOMAS MARKEY,
President Board Aldermen.
Approved Oct. 22, 1868.
(Signed) JOHN R. CONWAY, Mayor.
A true copy:
JOHN W. OVERALL, Secretary.

MAYORALTY OF NEW ORLEANS,
City Hall, Oct. 22, 1868.

[No. 1083—N. S.]

*Resolved*, That the controller be and he is hereby authorized to adjudicate, after five days' notice in the official journal, to the lowest bidder or bidders, a contract for shelling Foucher street, from Delord to Calliope street, (distance two squares,) the work to be done in strict accordance with plans and specifications on file in the office of the city surveyor.

(Signed) ALFRED KEARNY,
President Board Assistant Aldermen.
(Signed) THOMAS MARKEY,
President Board Aldermen.
Approved Oct. 22, 1868.
(Signed) JOHN R. CONWAY, Mayor.
A true copy:
JOHN W. OVERALL, Secretary.

MAYORALTY OF NEW ORLEANS,
City Hall, Oct. 22, 1868.

[No. 1084—N. S.]

*Resolved*, That the surveyor be and he is hereby authorized and instructed to grade and shell that portion of the levee in front of the Pontchartrain Railroad, between Lafayette and Girod streets: *Provided*, The cost of the same does not exceed five hundred dollars ($500.)

(Signed) ALFRED KEARNY,
President Board Assistant Aldermen.
(Signed) THOMAS MARKEY,
President Board Aldermen.
Approved Oct. 22, 1868.
(Signed) JOHN R. CONWAY, Mayor.
A true copy:
JOHN W. OVERALL, Secretary.

MAYORALTY OF NEW ORLEANS,
City Hall, Oct. 22, 1868.

[No. 1085—N. S.]

*Resolved*, That the surveyor be hereby instructed to construct a culvert across Common street, at Liberty, and also to have the bridge in front of engine house No. 14, on Common street, widened.

(Signed) ALFRED KEARNY,
President Board Assistant Aldermen.
(Signed) THOMAS MARKEY,
President Board Aldermen.
Approved Oct. 22, 1868.
(Signed) JOHN R. CONWAY, Mayor.
A true copy:
JOHN W. OVERALL, Secretary.

MAYORALTY OF NEW ORLEANS,
City Hall, Oct. 22, 1868.

[No. 1086—N. S.]

*Resolved*, That the street commissioner be and is hereby authorized to build a bridge on the west side of the corner of Louisa and Girod streets, 3d District.

(Signed) ALFRED KEARNY,
President Board of Assistant Aldermen.
(Signed) THOMAS MARKEY,
President Board of Aldermen.
Approved Oct. 22, 1868.
(Signed) JOHN R. CONWAY, Mayor.
A true copy:
JOHN W. OVERALL, Secretary.

MAYORALTY OF NEW ORLEANS,
City Hall, Oct. 22, 1868.

[No. 1087—N. S.]

*Resolved*, That the street commissioner be instructed to cause a gas lamp to be placed on the east side of Marigny street, between Victory and Moreau streets.

(Signed) ALFRED KEARNY,
President Board Assistant Aldermen.
(Signed) THOMAS MARKEY,
President Board Aldermen.
Approved Oct. 22, 1868.
(Signed) JOHN R. CONWAY, Mayor.
A true copy:
JOHN W. OVERALL, Secretary.

MAYORALTY OF NEW ORLEANS,
City Hall, Oct. 22, 1868.

[No. 1088—N. S.]

*Resolved*, That the adjudication of the contract for fitting up the court and jury rooms of the Seventh District Court to Wm. McVittie by the controller, be and the same is hereby approved.

*Resolved further*, That the mayor be and he is hereby authorized to enter into contract before the city notary, on part of the city, with Wm. McVittie as principal, and John McVittie as security, for fitting up the court and jury rooms of the Seventh District Court, for and in consideration of the sum of nine thousand seven hundred and fifty ($9750) dollars, in accordance with plans and specifications of the city surveyor.

(Signed) THOMAS MARKEY,
President Board Aldermen.
(Signed) ALFRED KEARNY,
President Board Assistant Aldermen.
Approved Oct. 22, 1868.
(Signed) JOHN R. CONWAY, Mayor.
A true copy:
JOHN W. OVERALL, Secretary.

MAYORALTY OF NEW ORLEANS,
City Hall, Oct. 26, 1868.

[No. 1089—N. S.]

WHEREAS, The parties who had contracted for the building and leasing of the extensions to the Poydras Market, known as the Pilié Market, had entered into said contract prior to the passage by the General Assembly of this State of the act creating free markets throughout this city; and

WHEREAS, The establishment of said free markets has destroyed the market monopoly heretofore existing, and upon which said contracts were based, said contractors, after buying the same in good faith, are now executing the same faithfully, and are heavy losers on account of the establishment of said free markets; be it, therefore,

*Resolved*, That an extension of two years' time be granted James Mohan & Co. for collecting the revenues of the Pilié Market.

*Resolved further*, That the treasurer be and he is hereby instructed to return to said Jas. Mohan & Co. all the promissory notes given by them on said contract, and receive in lieu thereof twenty notes of $2007 50 each, payable half yearly.

(Signed) THOMAS MARKEY,
President Board Aldermen.
(Signed) ALFRED KEARNY,
President Board Assistant Aldermen.
Approved Oct. 26, 1868.
(Signed) JOHN R. CONWAY, Mayor.
A true copy:
JOHN W. OVERALL, Secretary.

MAYORALTY OF NEW ORLEANS,
City Hall, Oct. 26, 1868.

[No. 1090—N. S.]

WHEREAS,