

THE DAILY COMET.

VOL. V.

BATON ROUGE, LA., TUESDAY, MAY 24, 1853.

NO. 20.

THE DAILY COMET.

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GEO. A. PIKE, Editor and Proprietor.

Office on Third Street.

TERMS:

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Advertising.—One Dollar per square for the first insertion, and half that amount for every subsequent insertion—ten lines, or less, constitute a square.

Yearly Advertising.—Merchants, Traders, and others, will be contracted with on the most reasonable terms.

Job-Work.—We are also prepared to do all kinds of Job-Work—such as: LAWYER'S BRIEFS, BALL TICKETS, POSTERS, BILL HEADS, PROGRAMMES, ELECTION TICKETS, DRUGGIST'S LABELS, CARDS, CIRCULARS, VISITING CARDS. Done with neatness and despatch.

James Madison Elam, James Essex Elam

J. M. & J. E. ELAM

Attorneys and Counsellors at Law.

Baton Rouge, La.

March 27th, y.

J. J. BURK.

Law Office at
COURT HOUSE.

OVER SHERIFF'S OFFICE,
June 29, ft. Baton Rouge, La.

T. G. DAVIDSON, E. E. McHATTON

DAVIDSON & McHATTON

Attorneys at Law.

OFFICE ON LAUREL STS. BATON ROUGE.

PETER ENDERS, M. D. JOHN G. LUDLOW, M. D.

DRS. ENDERS & LUDLOW,

OFFICE in the Old Markham House,
Lafayette st., Baton Rouge, Feb. 5-11.

DENTISTRY.

Dr. G. H. MANN.

Surgeon and Mechanical Dentist
Baton Rouge, La.

Gratuitous Services to the poor every
afternoon from 2 to 5 P. M. may 1 in.

REFERENCES.

Pro. Geo. B. Wood, University Pa.; Dr. P. Enders; Prof. J. Henry, Sec. S. Institute, Dr. Thos. J. Buffington; Dr. B. F. Harney, U. S. A.; Geo. A. Pike, Rev. W. H. Crenshaw; Wm. Markham, Esq., Harney House.

Timothy Fay, M. D.

HAS associated with him in practice his brother Dr. Salmon Fay who has had more than ten years practical experience in his profession. Full and partial sets of teeth on plate can now have more attention at prices that will please all. Calls for the country will also have prompt attention.

Office over the store of Mr. Quiggins, on Lafayette street.

References—Hon. Geo. C. McWhorter, Col. J. E. Layet, Hon. M. G. Penn, Rev. J. Woodbridge, Dr. F. M. Hereford, Rev. Bishop Polk, Professor J. L. Riddell.

NEW ORLEANS, June, 1847.

Dr. Fay, studied Dentistry in the city of New York, and subsequently graduated in the Medical College of Louisiana. He is a gentleman of integrity and I have no hesitation in recommending him as an accomplished practical Dentist.

WARREN STONE, M. D.

June 13, ft. Professor of Surgery.

E. MCKITRICK.

Architect & Builder.

Is now prepared to take all contracts in his line of business and will execute with neatness and despatch.

N. B. All kinds of Job Work attended to. Plans and specifications given gratis when required.

Shop on Main St., between Florida and Convention Streets.

THOS. PRENDERGAST.

General Produce & Commission Merchant

and dealer in all kinds of

GROCERIES & PROVISIONS

Corner of Third & Laurel Sts. Baton Rouge.

LIBERAL CASH ADVANCES ON
SUGAR AND COTTON. Jan 15.

JOSHUA BEAL.

General Produce dealer &c.

House on Church, between Third and Lafayette Streets.

CHARLES SIMON, JOSEPH SIMON.

C. SIMON & BRO.

118 Old Levee, New Orleans, La.

WE have constantly on hand a very large and superior stock of the most fashionable Clothing, to which we invite the attention of dealers and others. Gentlemen visiting the city, can at a short notice have clothing made to order, in a superior manner and warranted to fit. Our prices are as low as the lowest, and we offer greater inducements to the trade generally, than any other house in the city. July 18-y.

SHOE BLACKING & BRUSHES.—20 dozen shoe blacking; 3 dozen shoe brushes. S. P. FURNISHING.

AN ACT

To Incorporate the Baton Rouge and Clinton Plank Road Company.

Whereas, The Baton Rouge and Clinton Plank Road Company, has been created, under the Act of the Legislature entitled "An Act for the organization of Corporations for works of public improvement and utility," approved March 11th, 1852, which said corporation was enacted in the following words, to wit:

CHARTER

OF THE
Baton Rouge & Clinton Plank Road Co.

We the undersigned agree to form ourselves into a corporation, under the laws of the State of Louisiana, as particularly set forth in an act entitled "An Act for the organization of corporations for works of public improvement and utility"—a copy of which is herewith annexed, for the purpose of constructing a Plank Road from the city of Baton Rouge, in the parish of East Baton Rouge, to the town of Clinton, in the Parish of East Feliciana, and from thence along the most eligible route to a point that will connect the town of Liberty in Amite Co., State of Mississippi, and for that purpose we have formed the annexed charter, and have signed the same, and have added to our signature a statement of the number of shares and the amount of our subscriptions to said Company.

CHARTER OF THE COMPANY.

1st. This said corporation shall be called the "Baton Rouge and Clinton Plank Road Company," and its domicile is fixed in the city of Baton Rouge.

2nd. The said corporation is established for the purpose of constructing, working, and maintaining a plank road from Baton Rouge to Clinton Louisiana, and from thence hereafter to be continued to Liberty in Amite County, State of Mississippi, should a company be formed in Amite County to connect at the State line.

3rd. The capital stock of the Company is fixed at One Hundred Thousand Dollars, divided in four thousand shares at twenty-five dollars each. A payment of five per cent on the amount of each share shall be made, within thirty days after the election of the first Board of Directors. The subsequent payment shall be made in such sums and at such periods as shall be fixed by the Board of Directors. Provided That no call shall be made for a greater amount than ten per cent, at one time, and that sixty days notice of each call shall be given, by publication in one newspaper published in Baton Rouge which shall be known to the stockholders as the official paper of the Company, and in one newspaper published at Clinton.

4th. The said corporation, shall go into operation and be organized, so soon as shares of stock to the amount of Thirty Thousand Dollars shall have been subscribed.

5th. The business of the corporation shall be conducted at its domicile, in the city of Baton Rouge by a Board composed of seven Directors, who shall be stockholders. The Directors shall elect one of their body as President of the Company, at their first meeting after their election. A quorum to transact business shall consist of at least three members and the President, or any four members of the Board. At all elections by the stockholders, and at all their meetings each share shall be entitled to one vote. Votes may be given in person or by proxy. The President of the Company is the Officer designated as the one on whom legal service of all process or citation against the Company may be made, and the company agree to be bound, by service of process or citation, whether made on the President in person, or to his address, at the office of the company in the hands of any of its officers.

6th. The first Board of Directors shall be chosen as soon as the list of subscriptions shall be closed. This election shall be held at Baton Rouge under the superintendence of the commissioners hereafter designated and appointed to receive subscriptions.—All subsequent elections shall be held at Baton Rouge under the superintendence of three commissioners appointed from amongst the stockholders by the Board of Directors for the time being. Notice of the first election of Directors, shall be given fifteen days in advance, in at least one newspaper published in Baton Rouge, and one published at Clinton. The first Board of Directors shall hold office until the third Monday of January, 1854. The election shall be annual, and each subsequent Board shall be elected on the third Monday of December. A failure to elect Directors, shall not dissolve the corporation, but the Board in office shall continue the exercise of its functions until a new board can be elected. All notices of elections and of meetings of stockholders after the first election above provided for, shall be given by publication thirty days in advance, in the official paper of the company, and in one paper published at Clinton.

7th. The following persons are hereby appointed commissioners for the purpose of receiving subscriptions to the stock of said corporation: T. G. Morgan, S. M. Hart, H. T. Waddill, A. S. Heron, Eugene Lanoue and W. S. Pike. At Clinton, J. H. Muse, H. H. Haynes, Henry Marston, G. W. Munday, J. B. Smith, Wm. Patterson and M. G. Mills. The said commissioners shall have power to appoint deputies or agents in other places to receive subscriptions.—Three shall form a quorum to do business. The subscriptions shall be closed as soon as the amount of Thirty Thousand Dollars shall have been subscribed, and this com-

missioners shall immediately thereafter cause this charter, with the names of the subscribers to be registered in the office of the Recorder of Mortgages as required by law, and shall cause notice to be given and an election for Directors held as provided for in the 6th Article of the charter.

8th. Immediately after the election of the first Board of Directors the subscription list shall be open for a term of three months at such places as may be deemed advisable by the Board of Directors and public notice shall be given thereof in a newspaper published at the place where said subscription books are opened; and the board shall have power to appoint agents for receiving subscriptions. At the end of said three months, if the amount of subscriptions shall exceed the amount of capital required, a meeting of stockholders and subscribers shall be held to determine whether the capital shall be increased to the whole amount of subscription; and if the capital be not so increased, then the number of shares subscribed shall be reduced from the largest subscription to as not to diminish the number of shares of any subscriber, while another remains with a larger number of shares. If there be any deficiency in the amount of capital subscribed, the said subscription books may be reopened and closed from time to time, until the whole capital shall have been subscribed.

9th. In case of failure on the part of any subscriber to pay the installments 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 said stockholder, or of compelling by suit the payment of such installment; and no stockholder shall be permitted to vote while in default.

10th. All meetings of Stockholders called for the purpose of increasing or diminishing the capital stock of the company or for any of the purposes enumerated in the fifth section of the act of the Legislature of Louisiana entitled "An act for the organization of corporations for works of public improvement and utility," shall be composed of persons holding in their own right, or as agents for others at least three-fourths of the stock of the company, in order to take valid and binding action in the premises, at all other meetings of stockholders, and at all elections, a majority of stock shall be represented, and in this latter case, if such majority be not present or represented the meeting shall be adjourned for one week, and the vote of the majority of the stock present and represented at such adjourned meeting shall bind the company in the same manner, as if a majority of all the stock were present and represented.

11th. Any vacancy in the Board of Directors, occurring during the year may be filled by a vote of the Board of Directors.

12th. The President and Directors of said corporation shall have power to make and use a common seal—to elect a newspaper, which shall be known to the Stockholders as the official paper of the Company, and in which all advertisements shall appear, and to do every thing necessary for the construction, repair, and maintenance of the plank road herein before described, with as many tracks as they may deem necessary; to determine the line of the road, and the depots that may be necessary; to make and construct all works whatever for the proper and complete working of the road; to construct all bridges over navigable and other streams, and whether the crossing shall be by bridge or ferry; to contract specially for work, labor or materials to be furnished to the company, and to agree whether the whole or any part thereof shall be payable in the capital stock of the Company; to appoint a Secretary, Treasurer, Superintendents, Engineers, and other officers or servants necessary or proper, for the faithful performance, of any duty necessary to the construction or proper maintenance of the said plank road; to make all contracts for the furnishing of material or equipments for the road on such credits as they may deem proper; to borrow money for and on account of said road in any sum not to exceed ten thousand dollars, unless authorized by a vote of two thirds of the stockholders, to exceed that sum, and to mortgage the said road and its appurtenances to secure the payment of the same; to make all contracts for the purpose of speedily and properly constructing said road, and when said road or any part thereof is finished, to fix the rate of tolls for same to make all rules and regulations or by-laws necessary for the proper, safe and regular transaction of the business of the company; but such rules and regulations shall be subject to repeal, change, amendment, or modification, by the stockholders at their meetings, or by the President and Directors in the intervals; they may accept donations in land or money, or such materials or labor as may be useful to the company; they shall declare semi-annually the dividends arising from the road after the payment of all expenses. Said dividends shall be declared and made payable to the stockholders during the first fifteen days of December and June of each year; they shall make at least once in each year a report in full detail to the stockholders, exhibiting the expenses and profits or revenue of the roads as well as the cost during the process of constructing the same as well as the repairs that may be made thereof; they shall keep or cause to be kept, a regular set of books, on which shall be entered in regular order all business or other transactions of the company, which said book shall be opened to the inspection of the stockholders at the office of the company. A stock book shall be kept and 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 book.

13. If any subscriber for stock shall be taxed by virtue of any law or ordinance for the payment of subscription to the company, he shall have the right of reducing the number of his shares by an amount equal to that of the tax so imposed, but this right must be exercised within thirty days from the date of the law or ordinance after which term it shall not be allowed.

14th. An annual meeting of the stockholders shall be held on the first Monday in December to receive an annual report of the company at which a full statement of the financial affairs and other business of the company shall be submitted by the President and Directors for examination by the stockholders and their agents.

15th. At the expiration of the Charter, or 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 property of the company and conduct its business to a final liquidation on such terms and in such a 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 stockholder desisting from said 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 that purpose.

And whereas the President and Directors of the Baton Rouge and Clinton Plank Road Company have made application to the General Assembly to amend their said charter of incorporation, therefore

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the stockholders of the Baton Rouge and Clinton Plank Road Company, be and they are hereby specially created a body corporate and politic under the conditions and limitations and with all the rights, powers, duties and liabilities recited in the preamble to this act; and said Baton Rouge and Clinton Plank Road Company, so specially created shall have full power to sue and be sued, plead and be impleaded.

Sec. 2. Be it enacted, &c. That the capital stock of said Company, its works and appurtenances shall be exempt from taxation.

Sec. 3. Be it enacted, &c. That said Company shall have the right of way of sixty feet on either side of the road, and the right to cut and use the timber and such other materials as they may require, within one mile on either side of said road, so long as the land shall remain the property of the State.

Sec. 4. Be it further enacted, &c. That by a vote of two thirds of the stock holders holding at least a majority in value of the stock of said company; said road, or any part thereof—may, at any time, be converted into a Rail Road.

Sec. 5. Be it further enacted, &c. That no stockholder in said Company shall be made in any manner liable or responsible for the debts or faults of said Company, in any further sum than the amount of any unpaid balance due the Company on the shares owned by such stockholder.

Sec. 6. Be it further enacted, &c. That in case the said Company should decide, at any time, under the provision of the fourth section of this act, to convert said road into a Rail Road; said stockholders shall have the power, by a vote of two thirds holding at least a majority of the stock subscribed, to increase the capital stock of said Company to a sum not to exceed One Million of Dollars.

Sec. 7. Be it further enacted, &c. That said Company shall have perpetual existence, unless said corporation is dissolved by a vote of three fourths of its stockholders holding a majority of the stock, at a meeting called specially for the purpose, or unless said corporation fail or be insolvent; and in case of failure or insolvency, the liquidation of its affairs shall be conducted as provided for in the 15th section of the Preamble of this act.

Sec. 8. Be it further enacted, &c. That the 3rd section of the Preamble to this act be so amended as to read thus:

"The capital stock of the company is fixed at \$25,000 divided into ten thousand shares of \$25 each. A payment of five per cent on the amount of each share, shall be made at the time of subscribing; the subsequent payments shall be made in such manner and in such sums and at such periods as shall be fixed by the Board of Directors. Provided, that no call shall be made for a greater amount than ten per cent, at one time, and that 60 days notice of each call shall be given by publication in one newspaper published in Baton Rouge, which shall be known to the stockholders as the official paper of the Company, and in one newspaper published in Clinton. Should payment of subscription be hereafter provided for by the Directors, and the notes of stockholders received for such payments made payable at fixed and stated periods, such notice, by publication, shall not be necessary."

Sec. 9. Be it further enacted, &c. That the 12th section of the Preamble to this act be so amended as to authorize the Directors of said Company to borrow money to an amount not to exceed \$50,000, unless authorized by a vote of two thirds of the stockholders in number and amount of the Company, and to mortgage the said road and its appurtenances—or any part thereof—to secure the payment of the same. And that the words "number or amount" in the fifteenth section of the Preamble to this act,

be so amended as to read "number and amount."

Sec. 10. Be it further enacted, &c. That whenever any number of stockholders holding three-fourths of the amount of stock now subscribed to said Company, shall accept the amendments contained in the preceding sections of this act, said amendments shall be incorporated into the charter of said Company and take the place of any of the provisions of the Preamble to this act that may be inconsistent therewith; and said Company shall have and enjoy, and may increase, all the powers, rights and privileges which other corporate bodies may lawfully do, for the purposes mentioned in the Preamble to this act; and may make all such by-laws, rules and regulations not inconsistent with the laws of this State or of the United States, as shall be necessary for well conducting and conducting the affairs of the Company.

Sec. 11. Be it further enacted, &c. That the said Baton Rouge and Clinton Plank Road Company may and shall have and are hereby subrogated to the right of way and the line of road originally laid out by the Clinton and Baton Rouge Rail Road Company as provided for, by an Act entitled "An Act to incorporate the Baton Rouge and Clinton Rail Road Company," approved March 11th, 1852. Provided that a majority of the last Board of Directors of the said Baton Rouge and Clinton Rail Road Company, be obtained. In case the course of said Plank Road should be changed from the line of the Rail Road as any point, then the said Plank Road Company shall have the right to cross any public road by first obtaining the consent of the Police Jury of the Parish in which said road may be there; and should the line of the road deviate from the line of said Rail Road or from the public road, so as to pass through the lands of individuals, the said Company shall have the right of way through said lands, on paying to the owners thereof any compensation that may be agreed upon between said individuals and said Plank Road Company, and in the event of any disagreement as to compensation or of the refusal of said individuals to allow said road to pass through their lands, then the said Company shall have the right of way through the same, on paying to the said individuals such amount as shall be assessed by six disinterested land-owners of the Parish in which said land may be situated, three to be chosen by each party; the decision of a majority of said land owners as to the compensation to be paid, shall be binding upon the parties; and in case they shall be equally divided as to amount of said compensation, the said land holders and appraisers shall choose an umpire, whose concurrence with any three or more of the others shall be binding, and in case of the neglect or refusal of any land holder to appoint appraisers as herein provided for, then, and in that case, the Judge of the District Court, wherein said land owner resides shall, upon application of the President and Directors of said Company, appoint three appraisers on the part of said land holder, neglecting or refusing to appoint parties to represent his interest as herein provided for.

Sec. 12. Be it further enacted, &c. That this act shall take effect from, and after its passage.

JEWELRY, &c.

THEODORE GOLDMANN,
Watchmaker and Jeweller

Lafayette St., one door below Laurel.

Manufacturing Jeweller.

THE undersigned would respectfully inform his friends and the Public, that he has taken the store lately occupied by L. Grandpre, where he purports doing all kind of work in his line of business, such as repairing Clocks, Watches and Jewelry, he is also fitted up to manufacture gold and silver ware, Jewelry, cane mountings, &c., in the neatest style, and with the utmost dispatch.
[April 1 mo.]
R. G. DELARODIERE.

F. PERRILLAT.

SILVERSMITH.

Lafayette st. next door to Quiggins' store.

HAS all the facilities for repairing Watches and Clocks; which he will do at short notice, in the very best manner.

He also keeps a well selected stock of Jewelry, consisting of breast pins, Ear rings, Bracelets, fancy Studs, and shirt button, Cuff pins, Watches and clocks, fob-chains, &c., which he will sell on reasonable terms.
Feb. 7, 187 July 11.

NOTICE.

THE subscriber having just returned from New Orleans with a new and complete stock of Jewelry, of the latest fashion, begs leave to inform the ladies and gentlemen, who may favour him with their patronage, that having made arrangements with a direct importer, he is enabled to sell as cheap as the cheapest, and warrants his goods to be what he says, otherwise, he will refund the money paid. Please call and examine his stock before purchasing elsewhere.
sept 26-y. THEO GOLDMANN.

DR. LEIDY'S

Sarsaparilla Vegetable Blood Pills,
PREPARED entirely from Vegetable Extracts, a component part of which is Sarsaparilla. Prepared only under the immediate superintendence of Dr. N. E. Leidy, Philadelphia. For sale in this city by
[Nov 27-y.] H. T. WADDILL.

50 HALF Barrels Whiskey for sale by
THOS. PRENDERGAST.