New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

THE COURTS.

Eighth District Court—Suit Against the City for Levee Dues.

John W. Cannon, owner of the steamer Robert E. Lee, has brought suit against the city of New Orleans to recover the sum of $4210 in damages, etc.

Captain Cannon sets up that he has paid the city $3360 during the last twelve months for the privilege of landing, discharging and loading his vessel at the levee in front of the city.

That he paid the same upon the demand of the officers of the city, who allege that the several amounts, from time to time, were due under the provisions of the ordinances of the city, and that unless he paid the same, $84 per week, his steamer would be seized.

That he alleges, and is informed and believes, that the said ordinances of the said city are illegal and void; that they violate the constitution of the State and the United States.

That the levee in front of the city of New Orleans is a public place, the use of which is common to all the inhabitants of the city, and even strangers, and most especially to the citizens of the other States in the Union. That the attempt on the part of the said city to put onerous restraints and charges upon the exercise and use of the rights thus secured is illegal.

That the said ordinances on their face do not purport to be founded upon any supposed advantages or benefits conferred on the petitioner by the city of New Orleans; they were not, and are not imposed upon him upon any such grounds, but are, in fact, impositions laid upon him for the purpose of raising revenue for the city. That the revenues thus raised enter the coffers of the city administration in the same manner as other revenue derived from legitimate taxation. That the revenue thus realized by the city amounts to a very large sum annually, which is thus illegally levied upon the trade and navigation of the Mississippi river.

That the said ordinances are in violation of the second section, paragraph ten, article one, constitution of the United States, which declares that "No State shall, without the consent of Congress, lay any duty on tonnage." Also of the fifth paragraph, section nine, article one, viz: "Nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another." Also third paragraph, section eight, article one, which declares Congress "shall have the power to regulate commerce with foreign nations and among the several States."

That said ordinances are in violation of the acts of Congress regulating commerce between the States, granting licenses to vessels engaged in the coasting trade, and especially to the act of Congress of 1811, admitting Louisiana into the Union.

Judge Dibble issued an order for a rule *nisi*, calling upon defendants to show cause on Wednesday, the seventeenth instant, why the injunction prayed for should not issue to restrain them from enforcing the said ordinances complained of. The order also directs the city to desist from the acts complained of until the hearing of this rule.

The Reimbursing of State Taxes.

Now into this honorable court, by his counsel, Hornor & Benedict, comes James Graham, Auditor of Public Accounts for the State of Louisiana, upon whom a petition and rule *nisi* for a peremptory writ of mandamus has been served, commanding him to show cause why he should not issue, in favor of relator, certificates amounting in the aggregate to the sum of $52,388 64, under and by virtue of act No. 93, approved April 19, 1871, entitled an act to reimburse certain taxes illegally imposed and collected under act No. 55, approved April 4, 1865, in answer to said petition and rule *nisi*, for cause shows:

1. That as an officer of the State of Louisiana he has sworn to support the constitution thereof, and that in and by the third amendment thereto, promulgated on the fifteenth day of December, 1870, it is set forth as follows, viz:

"Article. That prior to the first day of January, 1890, the debt of the State shall not be increased so as to exceed twenty-five millions of dollars."

That prior to the nineteenth April, 1871, the debt of the State of Louisiana exceeded the sum of twenty-five millions of dollars, and that the annual revenues thereof are insufficient to meet the necessary expenditures and current expenses of said State, under the present rate of taxation, and will not hereafter be sufficient for such purposes.

That the claims on which the prayer of the relator is based were no part of the debt of the State on said fifteenth December, 1870, and are not at the present time, and that said claims form no part of the current expenditures for the necessary government of said State, or for the maintenance of its peace and order.

That the General Assembly of the State of Louisiana was without power to pass the said act in violation of the article of the constitution above set forth, and it is therefore null and void.

2. That said act No. 93 of 1871 is unconstitutional, and in violation of article No. 114 of the constitution of this State, inasmuch as it sets forth in its title that it is "an act to reimburse certain taxes illegally imposed and collected under act No. 55, approved April 4, 1865," whereas in and by virtue of section first of said act it is provided that all taxes which were collected by the State under the third section of act No. 55 of 1865, shall be reimbursed to the parties who paid the same, and therefore does not express its object in its title, and is null and void.

3. That said third section of said act of 1865 was legal and binding upon all persons who paid taxes thereunder, upon property owned by residents of this State, as well as by nonresidents, whose property had become incorporated with the property of citizens of this State; and that the said act was and is legal and binding upon all persons who paid taxes thereunder upon property the product of this State, whether owned by residents or nonresidents, and the General Assembly was without power to refund taxes so paid to the injury of other taxpayers of said State.

4. Your respondent avers that the amount of taxes paid into the treasury under and by virtue of said third section of the act No. 55 of 1865 amounts to the sum of $525,475 88, and that the act under which relator claims calls for the reimbursement of said sum to the parties who paid the same, and is therefore indirectly an appropriation exceeding the sum of one hundred thousand dollars, and no means are provided to meet such expenditure, and is in violation of article No. 111 of the constitution of 1868 and in consequence null and void.

5. Respondent further avers that the parties under whom relator claims, never complied with the provisions of said act No. 55, of 1865, or of act No. 25, of 1866, amendatory thereto, in this, viz: That they did not file sworn statements with the Auditor of Public Accounts of the amount of their sales, either on commission or upon their own account, as required by the provisions of said acts, and they are therefore, by their own wrong, debarred from claiming any relief.

6. Respondent further avers, should your honor hold that the act is constitutional and must be enforced, either in whole or in part, that he can not issue the certificates called for by said act, to be used by the said relator or his assigns in paying taxes due the State, to be credited to the general fund, as an amount exceeding the estimated receipts to the general fund from taxes, had been previously appropriated by law for absolute necessary expenses for the State government.

7. That in so far as said act No. 93, of 1871, orders the reimbursement of taxes legally collected, it constitutes a donation to individuals for their own private purposes, which donation the Legislature is incompetent to make.

8. Respondent specially denies that the persons under whom relator claims are entitled to the benefit of said act No. 93, of 1871; he denies that they paid said tax in full from their own funds, and charged themselves therewith; and respondent is informed and believes, and so charges, that in every case where said tax was paid upon the sales of merchandise belonging to persons residing out of the State, that said tax was charged against said non-residents, and retained out of the proceeds of sale of such merchandise by relators' assigns.

9. Respondent further denies that relators are entitled to relief, as the sums paid by them into the treasury, if any, were so paid upon assessments made according to law, without objection and without protest, that such assessments can not now be contradicted or altered by relator, and that such sums so covered in the treasury can not be withdrawn, directly or indirectly, except in case of a specific appropriation previously made, setting forth the amount, the purpose, and the mode of payment.

10. Respondent specially denies that relator has any power or authority to represent the persons whose names are set forth in his petition.

Wherefore your respondent prays that the petition of relator be dismissed and his application for a writ of mandamus be denied with costs, and for all general relief.

Decision by Judge Dibble.

Judge Dibble yesterday delivered oral opinions in the following cases:

William C. Little vs. Barret—The plaintiff sues to recover on a draft for $300. The defendant was the acceptor of the draft, drawn by E. H. Angomar.

The answer was that the plaintiff was not the owner of the draft, not having purchased it for valuable consideration or acquired it in the due course of trade. On the trial of the case the defendant stated the obligation was given for an illegal consideration.

Judge Dibble said: "It is an established rule that the acceptor can not plead a want of consideration. The law says that notes passing into the hands of innocent parties can be recovered upon, even though the consideration be illegal. The plaintiff swore that he acquired the draft in the usual course of trade, and there is no evidence to disprove the assertion, although it has been proven that the consideration was illegal."

Judgment for plaintiff.

The Matter of Judges' Warrants.

Newman vs. the State Auditor—The relator applied for a writ of mandamus to compel the payment of certain warrants for $1180. The answer was that these warrants can not be paid under the act of the Legislature of February 25, 1871, by which an appropriation of $250,000, or so much as may be necessary to pay the mileage, per diem and contingent expenses of the last General Assembly, and that these warrants must be paid before those issued for any other purpose.

Touching the law providing for the registration of warrants in the State Treasurer's office, and their payment in the order of registration, Judge Dibble held that inasmuch as the act of registration is not mentioned in the title, it is not a part of the act. He contends that the Legislature has no power to give one class of warrants any preference over others.

When the proper officer of the State issues a warrant upon the treasury there results an implied contract between the State and the legal holder of said warrant that the same will be paid as the money shall come into the fund against which it is drawn. Any law which attempts to give preference to other warrants is an act impairing the obligation of said contract, and therefore void. Let the mandamus be made peremptory.

United States Circuit Court.

In this court, yesterday, Judge Durell presiding, the case of the Southern Portable Gaslight Company vs. the New Orleans Hydro-Carbon Gaslight Company, a fee of one hundred dollars was ordered to be taxed as costs, in favor of M. M. Cohen, master in chancery, for services in making a report herein.

In the case of P. C. Fox vs. H. F. Vickers, judgment in default was entered against defendant.

In the case of G. W. Thomas vs. Blacksher & Miller, the counsel on each side having waived a trial by jury, judgment was given in favor of plaintiff for the sum of $2408, with eight per cent interest from date till paid, and costs of suit.

In the case of J. P. Tweed vs. B. F. Flanders, in which so much difficulty had been experienced in completing a jury, the full number was at last impaneled, and the trial was proceeding when the court adjourned.

F. August Geiger, an alien, having complied with the various acts of Congress in relation to the naturalization of foreigners, was sworn in and admitted by the court as a citizen of the United States.

All the members of the United States grand and petit juries are notified that their pay for jury service is ready for them, and they are to call on Deputy Marshal Hollander at the United States marshal's office.

The Cuban patriots have invented a curious cannon of leather, as a substitute for the metal fieldpieces, which they are unable to obtain. The barrel of the gun is about three and a half feet long, and is made by stretching stout, well-dressed leather, in a soaked state, upon a mould four inches in diameter, and sewing the edges with cords of the native *pita de corojo*, which has great tenacity. When dry, another thickness of wet leather is stretched upon the first layer, and four more are subsequently added. The breach is made of hard wood and the chamber is often lined with tin. These guns fire from ten to twenty rounds before becoming unfit for use, and are usually loaded with stones, through the absence of grape and canister. They have done considerable execution, and are lightly transported in pairs upon the shoulders of a man. When used, they are laid upon the ground and pointed at short range upon an approaching column.

A furnace which will utilize peat, sawdust, tanbark, wood, shavings or other light or damp fuel, in such a manner as to smelt iron with them alone, or when mixed with coal, has been invented by a Norwegian, and is about to be introduced at Fond du Lac, Wisconsin. This furnace, it is said, has been thoroughly tested in Norway and Sweden, and so complete was its success that the Swedish iron masters donated the inventor $10,000. In the vicinity of Fond du Lac inexhaustible beds of peat are known to exist, and if the furnace is capable of producing iron with this kind of fuel as economically as it is claimed, that city and many other places have the means at hand to become leading manufacturers of iron.

The Ascension *Leader* says:

It may not generally be known that all that portion of the town of Donaldsonville which lies between Claiborne street, the Conway tracts, the Chattanooga railroad and the Winter reservation, and which has for some time been in dispute, was lately decreed to belong to A. A. Maginnis, Esq., the present owner of the Winter plantation. It was adjudged to him by a judgment of the district court, rendered last year, and the same has recently been affirmed on appeal by the Supreme Court at New Orleans.

A Washington special to the Chicago *Tribune* says:

Senators Morton and Cameron were present, by a request, at the Cabinet discussion, to-day, of the treaty submitted by the high commission. On account of Senator Cameron's well known diffidence on the management of international questions in the Senate committee, the treaty and accompanying documents were, after the Cabinet meeting, put into the hands of Senator Morton. The latter is engaged this evening, at his rooms, in explaining the papers to Mr. Cameron, as chairman of the committee.

The proposition of Secretary Boutwell to uniform the inspectors of customs has received the favorable approval of the collectors of ports throughout the country, and on the return of Mr. Boutwell it is understood that he will prescribe the style of uniform to be worn, the object being to so designate the person wearing it as a public officer, and at the same time be economical, so as not to impose unnecessary burdens upon those who may be required to conform to the proposed regulations.

'Shot through the heart' is a familiar expression in connection with war and battles, but it appears from army statistics to be a rhetorical rather than a literal account of the way soldiers are usually killed. Of 87,322 wounded in our late war, among which are 7062 gunshot wounds of the thorax, 4759 wounds of the thoracic wall, and 2303 penetrating wounds of the chest, there were recorded only four cases of gunshot wounds of the heart.

CORPORATIONS.

NOTICE OF LIQUIDATION.

NEW ORLEANS INSURANCE ASSOCIATION.

NEW ORLEANS, April 20, 1871.

In conformity with the decision of the stockholders representing nine thousand and one shares, at a general meeting held on Wednesday, April 12, 1871, after due advertisements, notice is hereby given to all whom it may concern, in furtherance of a resolution of the board adopted on the fourteenth instant, that the New Orleans Insurance Association is dissolved, and that the liquidation of its affairs will be effected by Messrs. Samuel Henderson, Jules Aldige and D. Bouligny, as commissioners duly appointed under article eleven of the charter.

G. LANAUX, Secretary.

NOTICE.

NEW ORLEANS MUTUAL INSURANCE ASSOCIATION.

Capital.................................$1,000,000

The New Orleans Mutual Insurance Association, a corporation under the laws of the State of Louisiana, is ready to insure against fire, marine and river risks. Office No. 10 Exchange alley.

G. LANAUX, Secretary.

New Orleans, April 20, 1871.

Board of Directors.

CHARLES CAVAROC, President.

Charles de Ruyter, U. Marinoni,
Augustus Reichard, A. Poincy,
Leon Haas, Jr., Ant. Lanata,
E. F. Mioton, William Agar,
S. Cambon, Jean Egle,
F. E. Bernard.

UNITED STATES OF AMERICA—STATE OF LOUISIANA.

Parish of Orleans, city of New Orleans.

Be it known that on this fifteenth day of the month of April, in the year of our Lord one thousand eight hundred and seventy-one, and of the independence of the United States of America the ninety-fifth, before me, Gustave LeGardeur, Jr., a notary public, duly commissioned and sworn, in and for the parish and city aforesaid, therein residing; and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared Messrs. Charles Cavaroc, Charles de Ruyter, Augustus Reichard, Leon Haas, Jr., Eugene F. Mioton, Sylvestre Cambon, Ulysses Marinoni, Arthur Poincy, Antoine Lanata, F. Edgard Bernard, Jean Egle and William Agar, all of this city, and composing the Board of Directors of the New Orleans Mutual Insurance Association. And the said C. Cavaroc, in his name and in the presence and in the name of the other above named appearers, presented to me, the undersigned notary, a certain instrument in writing, purporting to be the act of organization of the New Orleans Mutual Insurance Association; and the said appearers being desirous to give to said instrument due validity and authenticity, have requested me, the undersigned notary, to make an act of deposit and registry of the same; and I, the said notary, in pursuance of the request aforesaid, have registered the above mentioned act of organization, which is in the words and figures following, to wit:

The undersigned hereby form themselves into a corporation to be styled the NEW ORLEANS MUTUAL INSURANCE ASSOCIATION, under the provisions and regulations contained in the amended charter of the New Orleans Insurance Association in this city, made part thereof by reference, with the distinct provision that no stockholder of the present corporation shall participate in the profits of the same unless he has effected insurance therein and paid premiums accordingly, and then only in the proportion of the earned premiums so paid; and that the capital of the present corporation is hereby fixed at one million of dollars ($1,000,000).

It being well understood that the present Board of Directors and other officers of the said New Orleans Insurance Association shall assume the organization of the affairs and management of the business of the present corporation as soon as five hundred thousand dollars shall have been subscribed, and continue until changed, in the manner provided for by said amended charter.

The undersigned agree to be considered bound, as though by stock note, for the number of shares opposite to their respective names, maturing on the thirty-first of December, 1871, and bound also to transfer to the present corporation whatever profits may accrue to them respectively in the New Orleans Insurance Association.

The undersigned binding themselves, moreover, to furnish to the present corporation stock notes for the full amount of their subscription, due thirty-first December, 1871, the same to be credited with the profits transferred as aforesaid.

The Board of Directors aforesaid is hereby authorized to make a deposit of the present act in a notary's office, authenticate, register and publish the same in the manner prescribed by law.

New Orleans, February 7, 1871.

NAMES.	SHARES.	NAMES.	SHARES.
C. Cavaroc	180	Seignouret Freres	180
Frank Haas & Co.	60	Leon Haas, Jr.	10
H. F. Given	60	A. Thibaut	60
Lehman, Newgass & Co.	60	Benjamin Newgass	10
Hartwell, Chambers & Sedberry	40	B. T. Walshe	15
Juan Garcia y Mora	5	Charles de Ruyter	20
S. Cambon	60	H. Loeb & Co.	15
M. Venillet	3	Jose Garcia y Bovias	5
John Wendling & Co.	1	Spotorno	6
Bourdier & Belissein	2	Paul Laplanche	20
L. Basset	5	J. Teissier	1
A. Vignes	1	Marx Israel	15
H. J. Rivet	2	J. Gebelin	2
A. Poincy & Son	20	Theodore Lanaux	30
E. F. Mioton	30	Stewart & Fizer	80
Aymar & Co.	30	D. Blum, Sterne & Co.	60
DeBlanc & Beer	60	E. Roger & Co.	10
M. Stumpf	10	Kursheedt & Bienvenu	10
Geo. McGibbon & Co.	15	Hoffman, Marks & Co.	60
Hermann, Hertz & Co.	20	J. Aldige	80
Cte. Carlos	60	H. Gaily	15
B. Blardone	10	J. W. Sheerer & Co.	30
J. F. Barthelemy	2	Bouligny & Esclapon	60
Theophile Gollain	5	L. McCarthy	10
J. B. Pigniola	5	F. Schexnailder	10
John L. Sterry	5	A. Dumestre	3
A. Tertrou & Co.	60	O'Neill & Gleason	20
Wallace & Co.	85	L. Gex	1
F. E. Bernard	20	Katz & Barnett	65
Mrs. E. Puech	1	Amedee Couturie	20
John Stumpf	3	L. Beer	10
McStea & Value	70	John Zahn	5
Boget Brothers	20	John Henry & Co.	30
Alcus, Scherck & Autey	20	N. M. Benachi	10
Angelo Lanata	20	P. S. Wiltz	50
E. K. Converse & Co.	10	Ant. Lanata	60
E. L. E. Bonnet	10	Avendano Brothers	60
Christian & Hyatt	15	Bornio & Brother	40
Louis Ruch	15	G. W. Bancker	60
Stewart & McCarthy	30	C. B. Block & Co.	30
E. Battalora	15	Ball, Lyons & Co.	70
C. Couteux	20	Everett, Lane & Co.	60
Brown, Hyde & Co.	10	F. G. & C. W. Barriere	50
Block, Brittin & Co.	30	G. H. Andree	1
George W. Byrne	25	Brown & Tureman	5
John Breen	10	J. B. Couret	10
V. Morano	2	M. Brochet	30
Madame Veuve X. Lambert	1	J. T. Belknap	20
N. Barrois	5	Commagere & Lambert	10
P. Rideau	3	V. Maignan & F. Laborde	20
Mummy, Schroeder & Co.	100	P. E. Brulatour	25
Thomas M. Converse & Son	40	Joseph Brugere	10
P. N. Canton	1	Gates & Hodges	20
Blancand & Guitet	60	U. Marinoni	60
J. R. Waterman	20	J. Leisy	60
P. Cusachs	20	E. F. Golsan & Co.	20
Simon Loeb & Joseph	15	Pio Marzoni	2
Amedee Paris	1	Charles Raymond	5
S. Becker	2	Eugene Tourne	3
W. R. Bell	2	Charles J. Ledig	60
E. Eichelberger	30	Hays, Tunstall & Co.	25
Demeritt & Dibrell	40	E. Deschamps	20
J. Bethancourt	10	Henry Boeglin	1
A. Bayhi	3	Clark & Meader	10
John Wendling	3	J. B. Flotte	4
J. B. Solari	20	Est. B. Bayhi	7
J. Alcard	1	Perret & Frere	2
Van Norden & Co.	25	Chs. de Monsabert	2
M. Aronstein	10	A. Barrand	5
William L. Cushing	20	W. Van Norden	25
John G. Monroe	4	Nic. Bienvenu	3
Thomas C. Porteus	5	E. Bordelois	60
M. A. de Lizardi	60	Armand J. Doize	2
David Stewart	2	L. Monrose	2
John Bietry	5	Chauvin, Levois & Co.	12
F. Melicour Bienvenu	10	Th. Morano	1
Brodnax & Campbell	20	L. Deloche	10
E. Monteuse	15	F. Brion	5
A. Alciator	4	Pierre Canteron	3
William Braun	2	Christian Stumpf	1
Berand & Gibert	30	J. de L. Fitzgerald	1
Neill Bros. & Co.	30	J. N. Charbonnet	5
John H. Bruns	2	V. Perilliat	10
J. B. Rossi	2	A. Coutis	1
Bradshaw, Rountree & Co.	15	George Alces	10
J. Bloom & Co.	10	J. M. Cartier	5
D. L. Campbell & Co.	20	J. Barre	2
E. Bermudez	4	Mrs. E. Eulalie Le Blanc	1
A. Griffo	1	E. T. Bernard	1
P. V. Bernard	5	Mrs. Emilie Hoa	10
Bostick & Seymour	20	A. Bonnet	2
A. Camors & Billerman	3	N. H. Baumgarden	10
F. B. Bernard	1	J. B. Camors & Co.	60
S. Stafford & Co.	20	A. Camors	4
Louis Stern & Bros.	50	A. Camors & Grouchy	3
Oehmichen & Pothier	60	Manuel Payro	10
J. A. Blaffer	25	C. J. Leveque	5
William Creevy	25	Lawrance & Hebrard	10
J. Jeanneaud & Co.	8	B. Riehl	25
A. A. Mouton	50	Jos. Macheca	20
Eugene Gauthier	1	J. Villarrubia & Co.	5
P. B. Roy & Co.	1	A. Tessen	3
Norman & Reiss	20	Cappel & Curry	2
Lapene & Ferre	30	J. G. Muse	1
G. & S. Saloshin	5	Chs. Espenan	40
B. & H. Dreyfus	20	Henry Tete	60
Th. Chauviere	5	U. Laroussini	10
Jayne Magi	20	J. Dreyfus	20
Dr. E. B. Marmillion	10	A. C. Tremoulet	20
J. C. Denis	20	T. & S. Henderson	60
A. N. Tourne	2	Lafitte, Dufilho & Co.	60
G. Lavie	5	E. Troisgros	60
Herriman & Chesse	2	Jul. Loeffler	3
Jac. Newhauser	10	Henry Ruty	60
William J. Sheldon	10	Jules P. Zatarain	4
Lion & Pinsard	5	Queyrouze & Bois	20
J. B. Knight	10	Chaffraix & Agar	50
J. Buhler	2	Charles Will	5
Widow F. B. LeBeau	4	C. Rouyer	6
Puig Brothers	60	George Ulmer	2
Mrs. C. G. Southmayd	1	Levi Wolf & Co.	15
Joseph B. Lassaux	1	Louis E. LeBeau	1
Edward Lillienthal	2	J. Senac	3
Page, Peel & Moran	60	F. Surmely, Jr.	2
L. Uter	10	Forcheimer & Haber	60
J. Mandin	3	Jacob Gugenheim	5
F. Jaufroid	10	H. Labasse	6
L. Vallon	1	Meyer Weill	10
Fernandez y Villa	20	F. Lacroix	60
E. Villa	5	J. Segassie	3
C. Livaudais	1	Pelton & Dunbar	50
Sevin & Gourdain	5	Manuel Fernandez	5
P. E. Durand	20	Slocomb, Baldwin & Co.	30
L. Bennemare	1	James M. Walsh	5
Francisco Sancho	15	H. Flotte	1
B. Laplace	20	Sureaud & Dupont	4
F. Hollander	10	N. Bauer	10
J. Plaisent	10	John Ponstein	3
M. Reiman	30	Joseph H. Wilson	5
G. G. Gordin & Co.	30	L. Chaplain	10
Shute T. Lee	3	St. Armand & St. Cyr	5
C. F. Jaubert & Co.	30	W. F. Goldthwaite	3
		G. Sabatier	50

NAMES.	SHARES.	NAMES.	SHARES.
P. Lismongy	3	Joseph Leblanc	5
P. Mallard	8	J. Llado, agent	2
Small & Co.	25	Charles Strahan	25
Schneider & Zuberbier	70	Schwabacher & Hirsch	40
Payne & Co.	15	Guentell & Richard	60
McNeely & Milburn	30	S. Fernandez & Co.	30
B. Matharan	5	H. R. Gogreve	30
William L. Le Bon	1	Charles Kummel	8
Gus. A. Breaux	5	Augustus Huard	2
Grauguard & Schneider	5	S. Pablo	5
P. Pons, president	4	Joseph Barnes	5
H. Massel	2	Durno & Berry	10
Berry & Williams	5	E. J. Hart & Co.	60
E. Beltran	10	Edmond Bourgeois	5
Mrs. Marie Bourdette	2	C. Fischer	3
Samuel H. Shumway	5	Paul Esteben	4
Paul J. Christian	5	J. C. de Lamoriniere	1
G. W. Dunbar & Son	10	S. Wolff & Co.	5
A. Socola	25	F. J. Coiron	1
Thomas Ong	1	J. L. Couret	20
G. A. Lanaux	3	E. K. Converse, President N. O. W. & S. Company	50
L. & J. Weil	5	Charles Trouilly	5
S. Hermann	40	F. Aufenkolk	10
A. Fucich	3	Lehman & Beer	10
J. Jacob Burkhardt	2	Hirsch & Adler	30
H. E. Woodhouse	10	N. Jordy	3
D. W. Eames	2	Mrs. L. Galliot	5
B. S. Mesne LeBreton	3	Frank M. Hall	3
J. A. Fernandez	15	George Wigg	25
Frank Roder	5	B. Goldenberg	5
Samuel Snodgrass	10	Webster & Co.	10
Hadden, Overton & Burch	15	J. P. Higgins & Co.	30
F. B. Fleitas	20	J. Maristany & Co.	20
P. Macon	5	Woods, Matthews & Co.	20
Levi & Savra	10	A. Degeorge	3
Gilbert Degeorge	4	M. Hiller & Co.	30
Delgado & Co.	15	Chas. F. Johnson & Co.	40
Mrs. S. Hiller	2	Eugene Fleche	1
J. B. Vanhorn & Co.	60	P. E. Hatrel	5
D. Dohle & Co.	60	J. Davidson Hill	30
J. B. Coffie	10	Kern & Feliman	60
Joseph Keller	20	J. H. Chipot	5
Payne, Dameron & Co.	60	A. Doussan	4
B. Weil and Mathias Levy	15	J. Leisy, agent	5
Emile Lefranc	1	Williams, Ruperti & Co.	25
J. H. Jansen	10	R. L. Walker	10
C. H. Taney	10	Wallace Wood	5
Pressprich & Co.	25	Edward A. O'Brien	10
B. M. Howell & Co.	100	H. & C. Tyler	5
Alfred Kearny	5	Jonas Pickles	20
Thomas Pickles	4	Shropshire Brothers	25
G. Dupuy	3	E. W. Rodd & Sons	10
Hugo Redwitz	4	Chs. Vattinel	2
J. A. Letten	1	L. Michaelis	5
Louis Schwabacher	5	S. Escoffier	5
B. Jahraus	1	M. Hte. Lopez	2
Llambias & Dockter	28	J. H. Martinstein	2
M. Morano	3	Michael J. Farrell	5
Alex. Hill	20	B. Piffet	40
Mrs. C. Piffet	20	P. L. Lamothe	3
F. Caspar	3	Jacob Dreyfus	5
David Trautman	2	Feiber & Gonsenheim	4
Gueble & Nippert	30	William Iserman	5
Vincent Micas	2	F. Mack	2
Thomas McIntyre	1	Pablo & Co.	5
L. Rose	10	John O'Donnell	5
Bernard Moses	10	Anatole Leaumont	3
Gus. Winehill	20	Simon Baum	5
A. Constant Hearing	5	Dque. O. Mercier	10
F. Meunier	5	George Brandt	1
C. E. de Verges	2	J. Moulton	3
S. L. Destez	10	Dupre, Reine & Co.	20
L. Moulor	10	A. Granguard	3
Vve. C. Vignaud	1	Moulor & Dumestre	10
Bordelon & Co.	1	P. Buchanan	2
L. Leon Bernard	3	John Rocchi	60
John L. Sporl	6	J. V. Chaery	5
Charles T. Howard	10	Armand Pitot	1
A. Villermin	2	M. Meilleur	6
N. Frechon	4	Widow Rochefort	5
Duviau & Ricaud	2	Theodore Lillienthal	5
Joseph Batt	1	Charles Scheffel	1
C. Wunderberg	1	H. Rolfe	1
Claudius Gouzy	2	B. Samuel	3
B. Stille	3	Leon Godchaux	40
Fatjo, Marks & Co.	100	J. Gourdon	3
G. Gast	1	J. T. Desgrais	1
Gordon & Gomila	10	Alfred Cornu & Bro.	2
J. P. Crouere	2	John Hughes	10
Paulin Durel	2	L. Bodenheimer	1
Frank Heuer, agent	5	Joseph Scherrr	10
M. Santana	1	J. Langlee	5
J. M. Labat	1	Pony & Rey	5
G. Wolfe & Co.	10	J. Strauss	3
Henry Larguie	9	Jacob Wendling	1
F. T. Royer	1	Dominique Claveris	1
H. Spitzfaden	2	J. Levy	5
J. H. Levy	5	Lazaro Parody	5
Aug. Stuart	5	Louis Mestier	5
F. Pecoul	5	B. Pecoul	5
A. Simon	5	A. Rochereau & Co.	60
Charles Turpin	2	Louis Stahr	4
A. Galeppi	5	J. B. Franck	2
Edward S. Audler	2	Jules Samuel	3
J. McCaffrey & Co.	5	John T. Moore & Co.	60
Xavier Layrisson	1	J. T. Gibbons & Co.	10
George Auer & Co.	2	J. M. Soubiras	4
Henry Deriaz	1	Henry Levy	4
F. Schumacher	4	E. Marx	5
F. Formento	3	E. Negro	1
H. P. Simon	1	James F. Giffen	20
C. Duhamel	10	Joseph M. Dominguez	5
A. B. Seelye	20	J. B. Vinet	1
W. P. Hudson	10	Mathias Levy	5
G. Soules	1	J. H. Thierry	3
Jean Caillat	1	Samuel Locke	20
Sam. Gugenheim	3	D. Durac	2
Th. Moreau	10	Mrs. Anna Saron	3
B. Dupont	1	J. Lavigne	4
F. Coquet	1	B. Beaubay	1
A. Willoz	1	M. Legeai	2
Tureaud & Malus	10	D. Tureaud	5
F. Bardeau	1	Jean Lestrem	1
George Eise	3	H. F. Franke	2
John Phelps & Co.	50	F. Thomas	5
N. Trepagnier	1	E. Napias	5
Otto Briede	5	P. Gravois	1
Urban Theurer	3	J. H. Ashbridge & Co.	10
A. Gautier	2	H. Bayhi	2
F. T. Randon	3	Jean Perat	1
N. J. Esteva	1	P. Schneider	5
A. E. Bienvenu	10	F. Germann	3
Paul Esteben, Pres't.	5	M. Nadal	1
John Franck	5	Charles Lob	15
J. Beaufort	2	Louis Balles	2
Victor Sere	5	J. B. Magnard	2
Henry Leckie	3	J. M. Lafferanderie	4
B. Laporte	1	A. Borne	1
Pascal & Ilsley	10	George Gamper	3
George Gessner	1	B. Saloy	5
George Purves	10	O. M. Redon	3
C. Donelly	1	Sam Henderson	[illegible]
W. P. Creevy	1	L. Gamotis	3
J. O. McLean	3	M. H. Hyman	5
J. Larniquet	1	C. Lindauer	2
P. H. Monsseaux	5	R. de Armas	1
W. D. Smith	1	E. Masquere	1
H. Pinard	20	C. Ullmann	5
J. Kubner	1	A. R. Dupas	1
J. Baumann	1	N. Blank	1
V. & N. Riviere	5	M. Wendling	1
Paul Berge	1	A. H. Verret	2
E. R. Toribio	3	M. Mann	15
Moses Lobe & Co.	2	Joseph Vigo	5
G. de Feriet	5	James T. Pace	10
John Schellang	5	F. Sarradet	2
W. Maylie	2	D. Willhausen	2
E. C. Wagner	2	Jose y B. Puig	1
Jean Despaux	1	George W. Roper	1
Leon Redon	3	F. Michel	1
Jacob Graff	1	J. Tratot	3
T. Villa	1	A. Warner	4
Charles E. Deal	1	Mrs. J. Tardos	5
J. B. Socola	5	J. Trigola	2
N. Augustin	10	J. A. Sommer	1
John Newman	10	D. Dantagnan	1
D. Sabathe	1	Samuel Jamison	20
F. Barba	10	M. O. Tracy	1
G. Wendling	1	J. P. Sarrazin	20
G. Hilderbrand	2	G. Lanaux	2
Louis Livini	2	H. F. Sturcken	15
C. Springer	3	G. Bonnecarrere	2
D. Davezac	1	G. Bendernagel	2
L. H. Gardner & Co.	60	John Friedrick	5
John Crosby	5	A. Duperier	10
J. Bouvet	5	T. D. Vanhorn	10
Arthur Fortier	1	A. F. Vincent	1
E. Mangin	5	Oscar Robin	5
A. Wagatha	1	P. G. Gibert	10
J. B. Trescayes	5	E. H. Corkery	1
E. Surgi	1	J. Michael	20
M. R. Fernandez	10	J. F. Beaud	1
A. Rousset	10	J. Castel	2
J. G. Eschbacher	3	J. A. Fanning	1
Est. of J. C. Peyregne	2	B. Serrat	1
Jean Peyregne	1	Widow St. Alexandre	1
F. G. Randolph	1	Eugene Roevens	1
J. L. Davies	1	George Merz	5
E. M. Rusha	1	Odd Fellows Hall Association	1
J. Gugenheim	10	Joseph Schwartz	10
V. Barousse	2	John Pasley	5
Roder & Lamothe	10	F. Abadie	2
E. E. Mougin	5	Trisconi & Maire	1
A. Carratero	5	B. Abadie	2
J. Triscoul	3	D. D'Huart	2
P. McCann	1	P. T. Turberg	2
P. Avegno	5	A. Dumont	2
Paul Mack	1	A. V. Romain	3
Adam Schmitt	2	E. C. Ruth	3
E. Laurance	5	George Sick	4
Ed. Ehrhardt	2	Florence Pfister	5
A. T. Bennett & Co.	5	Dr. O. Aufoux	10
A. W. Brown	1	G. Jaquet & Co.	15
A. Delavigne	5	Edward S. Wurzburger	40
G. Jaquet	15	F. Oberheuser	50
S. P. Soule	5	G. Grande	3
A. Thomson & Co.	50	A. Docurro	3
O. H. Cartsendieck	2	F. Fornaris	10
A. Wheeless	2	F. Avegno	5
R. S. Venables	10	M. Dowling	4
Thomas Scherr	40	Paul Duval	3
A. Dulion	1	Charles E. Fortier	1
Mummy, Luling & Co., in liquidation	60	L. & M. Haas	10
H. Gieson	2	J. David	5
J. C. Donovan	5	Orleans Oil Manufacturing Company	10
A. Vaccaro	5	C. Layard	10
L. Garnier	3	C. Hirsch	1
H. A. Weber	1	Joseph W. Pearce	3
Joseph Santini	3	P. Castaing & B. Laporte	1
J. Toranelli	1	A. Lamard	4
R. Delord	3	Keep & Eogan	5
F. Seguin	1	Sorre & Neyrey	2
R. Lorio	1	F. Fries	1
M. di Gregorio	10	D. Oechsner	3
Joseph Wilhelm	1	Widow J. J. Bonaffe	2
J. E. Perat	2		
V. Oechsner	1		
Lafayette Insurance Company	30		
Total			9535

And the above named appearers further requested me, the undersigned notary, to receive the above registered instrument on deposit, to be and remain among my notarial records, to serve for reference in case of need hereafter. Which said above registered instrument I have accordingly, in pursuance of the request aforesaid, annexed to these presents as part of my said records, to remain permanently deposited therewith, having first marked ne varietur, and countersigned the said above registered instrument to more effectually identify the same herewith.

Thus done and passed at New Orleans, in my office, the day, month and year first above written, in the presence of Messrs. Armand Pitot, Jr., and Edgar Pitot, competent witnesses, who have signed these presents with the said appearers and me notary, after reading the whole.

Original signed:

C. CAVAROC,
JOHN EGLE,
U. MARINONI,
ANT. LANATA,
F. E. BERNARD,
WILLIAM AGAR,
A. POINCY,
E. F. MIOTON,
S. CAMBON,
CHARLES DE RUYTER,
LEON HAAS, JR.,
AUGUSTUS REICHARD,

A. PITOT, JR.,
EDGAR PITOT, Witnesses.

A true copy: G. LE GARDEUR, JR., Notary Public.

CHARTER OF THE NEW ORLEANS INSURANCE ASSOCIATION,

As amended by act of December 1, 1870, and made part thereof by reference.

UNITED STATES OF AMERICA, State of Louisiana, Parish of Orleans, City of New Orleans.

Be it known, that on this seventh day of the month of August, in the year of our Lord one thousand eight hundred and sixty-nine, and of the independence of the United States of America the ninety-fourth, before me, Gustave Le Gardeur, Jr., a notary public, duly commissioned and sworn, in and for the parish and city aforesaid, therein residing, and in the presence of the witnesses hereinafter named and undersigned, personally came and appeared the persons hereinafter named and undersigned, who severally declare that they do, by these presents, form among themselves and such others as may become associated with them by subscription, purchase, transfer or succession, a corporation, under the general laws of this State, providing for the organization of corporations, and have agreed, upon the following stipulations, to govern the same as the charter of the said corporation:

ARTICLE I.

1. The domicile of this corporation is hereby established in the said city of New Orleans, and it shall be designated and known under the name of the "NEW ORLEANS INSURANCE ASSOCIATION."

2. It shall commence business on or about the fifteenth of September, 1869, and shall exist for twenty-five years from the date of this charter, unless its affairs should be sooner liquidated and settled up by order of two-thirds of the stockholders.

3. The President, or in his absence the Secretary, shall be the proper officer upon whom to serve citations in all suits against the association.

ARTICLE II.

The objects and purposes of this association are declared to be:

1. To make insurance on dwelling houses, stores and other buildings, household furniture, merchandise and other property against loss or damage by fire.

2. To make marine and river insurance upon vessels, freights, steamboats, goods, wares, merchandise, specie, bullions, bills of exchange, commissions, profits, bank notes and other evidence of debt, bottomry and respondentia interests, and to make all and every insurance appertaining to or connected with marine or inland transportation risks.

3. To cause themselves to be reimbursed against any risk upon which they have made or shall make insurance.

ARTICLE III.

1. The capital stock of this association is hereby fixed at five hundred thousand dollars, with the privilege of increasing it to one million of dollars, divided into shares of one hundred dollars each, to be paid for at the time and in the manner hereinafter provided for in article four of this charter.

2. The association may commence business as soon as three hundred thousand dollars shall have been subscribed, but each fiscal year shall end on December 31, the first fiscal year to end on the thirty-first of December, 1870.

3. Transfers of stocks shall be made on the books of the association at its office, in the city of New Orleans only, but not while any indebtedness to the association exists on the part of the holder; provided said transfers have been approved by the Board of Directors.

ARTICLE IV.

1. All persons who have subscribed, or may hereafter subscribe to the capital stock of this association, shall furnish their note for the amount of their shares, payable on the thirty-first of December, 1871.

2. The notes furnished, as above provided for, shall be reduced by a credit thereon of the net profits made by the association in the first and second year, pro rata to the amount of earned premiums that shall have been paid during that time by each stockholder.

3. At the maturity of said notes, if the net profits of the association for the first and second year have not extinguished the said notes, the stockholders shall pay the balance due thereon.

4. The non-payment of the balance due on the said notes, as above provided for, shall forfeit the entire stock to the association, together with all accumulation thereon and all interest or benefits thereunto belonging; provided that the Board of Directors may extend said payments for such time as they deem proper; provided also the stock so forfeited may be transferred with the consent of the board of directors.

5. No stockholder shall, in any event, be made liable for the losses of the association in any larger sums than the amount of his, her or their subscription to the capital stock, and his, her or their indebtedness to the association.

ARTICLE V.

1. All premiums shall be due and payable cash at the end of each month.

2. Any losses or balance due on losses sustained by the association at the beginning of its operations, and when the association shall not have sufficient funds to cover the same, shall be paid pro rata by the stockholders.

3. All parties wishing to insure with the association shall subscribe to the capital stock thereof, and become stockholder of the association; provided, however, that by and with the advice and consent of a special committee appointed for that purpose by the Board of Directors, or upon the recommendation of two or more of the stockholders, risks may be taken from others than the stockholders, and such parties insuring will become entitled to such rebate as may be established from time to time by the Board of Directors.

ARTICLE VI.

1. Within the month of January, 1871 and 1872, the president shall cause to be made a statement of the net profits of the association, and shall cause the same to be published in at least two of the city papers for one month, together with a statement of the assets of the association, distinguishing the portion of same which is cash and the portion thereof invested in securities and the nature thereof. This publication shall be made under oath of the president and secretary, and shall be conclusive and binding upon all persons interested.

2. The annual statement, to be made in January, 1871 and 1872, as above provided for, shall be made up to December 31 preceding, inclusive, in the following manner, to wit: 1. Showing the amount of premiums received on fire, river and marine risks, each, deducting therefrom the amount of same not terminated. 2. Showing the amount of losses paid on fire, river and marine risks, each, and reinsurance, return premiums. 3. Showing the interest on the portion of the capital invested.

ARTICLE VII.

1. From and after the beginning of the third year, the stockholders shall pay no premiums on the insurances effected by them.

2. But in the year 1872, and in each and every year following, within the months of April, July, October and January, the President shall cause to be made a statement of the losses and expenses of the association, to which shall be added two and a half per cent profits paid to the stockholders, on their stock paid in full or on such part thereof that shall have been paid, and the amount thus formed shall be paid pro rata by the parties insuring on the earned premiums of the sums insured.

3. The statement to be made within the months of April, July, October and January, as above provided for, shall be made to the thirty-first of March, thirtieth of June, thirtieth of September and thirty-first of December preceding, inclusive, and shall be published as above provided for in section one of Article six, for the annual statements to be made in January, 1871 and 1872.

ARTICLE VIII.

1. All the powers of the association shall be exercised by a Board of Directors to consist of twelve persons, five of whom shall form a quorum for the transaction of business.

2. The first election of directors of the association shall be held on the fourth Monday of December, 1870, and thereafter on the said day in each year, at such place in the city of New Orleans as the Board of Directors shall designate, of which the president shall cause at least fifteen days' previous notice to be given in two of the public newspapers printed in said city. The Board of Directors shall appoint three of the stockholders of the association inspectors to preside at such elections; and if any of the said inspectors decline or fail to attend, the president may appoint others to fill such vacancies.

3. The Board of Directors thus elected are to take their seats on the first Monday in January after the election, and to hold the same one year therefrom until others are elected in their stead.

4. Those persons receiving a plurality of votes shall be considered duly elected. In the event of no election taking place on the day aforesaid, the president shall cause another election to take place within ten days thereafter, and give notice of the same by advertisement in one or more of the public newspapers published in this city.

5. The Board of Directors shall annually, at their first meeting, elect a president who shall, on his election, be ex-officio member of the Board of Directors, and who shall hold his office until his successor is elected and qualified. The President shall preside at all meetings of the Board of Directors and at the meetings of the stockholders of the association, and shall conduct the business of the association generally under the supervision of the Board of Directors.

6. In the absence of the president, the Board of Directors shall elect one of their members to act in the place and stead of said president during his absence. The Board of Directors shall also appoint all the other officers and clerks of the association.

7. The Board of Directors shall fix the compensation of all officers and clerks employed or elected by said association.

8. They shall invest the profits of the association as hereinafter provided for. They shall have power to adopt such by-laws as they may deem necessary and convenient for the government and regulation of the association, not contrary to the charter or the acts of the Legislature of this State providing for the organization and regulations of corporations.

9. Each and every stockholder shall be entitled at elections, either in person or by proxy, to one vote on each and every share of the capital stock which he, she or they may respectively hold, but not to vote on any stock to him, her or them transferred within three months prior to said election.

ARTICLE IX.

1. It shall be lawful for the Board of Directors to invest the capital stock and other moneys of the association in bonds and mortgages on real estate in the parishes of Orleans and Jefferson. They may also invest the capital stock and other cash funds of the association in any bonds or stocks created by or under the laws of the United States, of this State, or of corporations of this State, or loan its funds on pledge of any of the aforesaid securities, bonds or stocks.

2. It shall be lawful for the Board of Directors to purchase any property which may be mortgaged to the association at any forced sale of the same.

ARTICLE X

The following named persons shall constitute the first Board of Directors, to hold their office until the first Monday in January, 1871, or until their successors are elected or qualified. They are hereby vested with all the rights and powers thereunto belonging, with power to fill any vacancies which may occur in their number, and generally to do and perform all acts and things not herein provided for which may be necessary to carry into full effect the objects and purposes of this association:

CHARLES CAVAROC, S. CAMBON,
CHARLES DE RUYTER, U. MARINONI,
A. REICHARD, ARTHUR POINCY,
LEON HAAS, JR., ANT. LANATA,
E. F. MIOTON, F. E. BERNARD,
W. AGAR, JEAN EGLE.

ARTICLE XI.

At the expiration of the charter or sooner, if ordered by two-thirds of the votes of the stockholders, the affairs of the association shall be liquidated under the charge and supervision of three commissioners appointed by the last Board of Directors, and who shall exercise all the corporate powers and functions necessary for the settlement and liquidation of the affairs of the same.

ARTICLE XII.

This act of incorporation can be altered and amended by a vote of two-thirds of the capital stock represented at any general meeting of the stockholders, called for that purpose.

Done and passed at New Orleans, in my office, the day, month and year first above written, in the presence of Armand Pitot, Jr., and Edgar Pitot, competent witnesses, who have signed with said subscribers and me, notary.

Original signed:

C. CAVAROC.
OEHMICHEN & POTHIER.
S. CAMBON.
U. MARINONI.
MUMMY, LULING & CO.
L. M. AVENDANO.
ANT. LANATA.
D. BLUM.
FRANK & CO.
A. POINCY & SON.
EDGAR PITOT.
A. PITOT, JR.

A true copy: G. LE GARDEUR, JR., Notary Public.

I, the undersigned, Deputy Recorder of Mortgages for the city and parish of Orleans, State of Louisiana, do hereby certify that the act of incorporation of the New Orleans Insurance Association was duly recorded this day, in B. S. No. 7, fo. 336, of this office, according to law.

C. DARCANTEL, Deputy.

New Orleans, August 7, 1869.

I, the undersigned, Deputy Recorder of Mortgages for the city and parish of Orleans, State of Louisiana, do hereby certify that the act of amendment is duly recorded in this office this day, in B. S. No. 7, fos. 333 to 338, inclusive.

C. DARCANTEL, Deputy.

New Orleans, December 1, 1870.

I, the undersigned, Recorder of Mortgages for this parish, do hereby certify that the foregoing act of deposit and charter of the New Orleans Mutual Insurance Association were this day duly recorded in this office in B. S. No 3, fo. 323, et seq.

C. DARCANTEL, Deputy.

New Orleans, April 17, 1871. ap20 30t

CHARTER..........................CHARTER.

STATE OF LOUISIANA, PARISH OF ORLEANS, CITY OF NEW ORLEANS.

Before me, Antoine Doriocourt, a notary public, duly commissioned and sworn, in and for the parish of Orleans and city of New Orleans, State of Louisiana, aforesaid, and in presence of the witnesses hereinafter named and undersigned, came and appeared Robert M. Davis, A. Socola, S. Cambon, M. Berwin, F. Jaufroid, R. Dumestre, Bertrand Saloy, J. B. Solari, H. Manuel, N. A. Llambias, Joseph David (represented by J. Massa), J. K. Gourdain, Charles Kerr, M. Draskovich, G. L. Fevre, V. Battalora, James J. Reiss, Ernest Pragst, Francisco Sancho, F. Schumacher, A. Haber, P. H. Monsseaux, Joseph Mizzi, Jacob Neuhauser, and others undersigned, who declared that, availing themselves of the laws of the State of Louisiana relating to the organization of corporations in this State, have covenanted and agreed, and do by these presents covenant and agree, and bind themselves together with others who may become associated with them, to form a body corporate to remain and be governed by the following stipulations and conditions which they adopt as the charter of said corporation.

ARTICLE I.

This corporation shall be known by the name of the PEOPLE'S INSURANCE COMPANY OF NEW ORLEANS, and the domicile of the same shall be established in the Second District of the city of New Orleans.

ARTICLE II.

This corporation is formed for a period of twenty-five years from the date of this act of incorporation.

ARTICLE III.

The object of this company is to transact a general insurance business, and particularly

1. To make insurance upon dwelling houses, stores, and other buildings, household furniture, merchandise, and other effects and property, against loss or damage by fire.

2. To make insurances upon ships and other seagoing vessels, steamboats and other vessels, freights, goods, bills of exchange and other evidences of debt, commissions, profits, bullion or money, and against all maritime or inland transportation risks, bottomry and respondentia interests; in other words, to effect fire, marine and river insurance of any kind whatsoever, with privilege of exercising all or either of said purposes.

3. The company may cause itself to be reinsured against any risk upon which it shall have made insurance; and all citation notices, and other legal process wherein the company may be interested, shall be served on the president, or in his absence on the vice president or secretary.

ARTICLE IV.

The capital stock of this company shall be fixed at five hundred thousand dollars, with the privilege of increasing it at any time to one million dollars, divided into shares of one hundred dollars each, to be paid in as follows: Five per cent at the time of subscribing; five per cent upon the commencement of business; five per cent at sixty days after the commencement of business; five per cent at ninety days after the commencement of business; the remaining eighty per cent in the promissory notes of the subscribers and of persons who may hereafter subscribe to the capital stock, payable at one and two years after the commencement of business; said notes of the subscribers to contain a proviso to the effect that the Board of Trustees may postpone the payment of the same indefinitely, or from year to year, unless, in their belief, the necessities of the company should at any time require the payment of the notes previous to maturity, in which event any portion of them shall be due and payable at the office of the company in such sums and at such times as the Board of Trustees may consider proper, thirty days after a notification of the same shall have been advertised; provided that no payment on account of said notes shall be made prior to said notification without the consent of the trustees, and that no call shall be made, at any time, for more than twenty dollars on each share.

In the event of nonpayment of any installment or notes, as provided for in the foregoing, the stock, together with any accumulations, interests or benefits pertaining to the same, shall be forfeited to the company. Nevertheless the trustees may extend the term of payment should they deem it proper.

Receipts for installments and notes shall be given to the subscribers, but said receipts shall not be transferable unless with the consent of the trustees.

Receipts also for the amount of the dividends credited upon the notes shall be given, but all of the said receipts shall be returned to the company upon the issue of the certificates.

No certificate of stock shall be issued until the same is paid in full.

Any dividend unclaimed for the term of three years from the date declared shall be forfeited to the company and carried to the credit of the contingent fund, after the publication of the same once a week for four weeks consecutively.

ARTICLE V.

All transfers of stock shall be made on the books of the company upon the surrender of the certificates, and the transfers shall be signed by the stockholders or their legal representatives.

ARTICLE VI.

In all the month of July of each year a statement of the affairs of the company, made out in detail, shall be submitted to the stockholders and the assured and published. Out of the net earnings of the company, after deducting the unearned premiums, ten per cent upon the capital paid in shall first be credited upon the notes of the stockholders, and the remainder of the said earnings, up to ten per cent upon the amount of premiums earned, shall be paid in cash to the assured. Any surplus of said earnings to be divided in cash between the assured and the stockholders; to the stockholders in proportion to the capital paid in, and to the assured in proportion to the amount of the premiums; provided the dividends do not, in any one year, exceed twenty-five per cent; any excess of that rate to be added to a contingent fund, to be held as guarantee against any loss or reduction of the capital, and should said contingent fund at any time exceed the amount of the capital paid up in cash, any surplus of the same shall be divided among the assured and stockholders in proportion to their interests respectively of premiums and capital.

In the event it should become necessary to use any portion of the capital in the settlement of losses, no dividend or bonuses of interest shall be declared or paid until said capital shall have been restored in amount out of the earnings or profits of the company.

It is provided further, that no dividend of less than five dollars shall be declared, nor shall any dividend declared contain any fractional part of five dollars, and that all such fractional sums shall be carried to the credit of the contingent fund.

ARTICLE VII.

The device and seal of this corporation shall represent the statue in Jackson Square, with the inscription of the name of this company.

ARTICLE VIII.

The Board of Trustees shall have power to invest the money and capital of this company in good and sufficient mortgages on improved and unincumbered real estate, also in bonds or stocks created under the laws of the United States and of this State; and they may loan money on pledge of any of the aforementioned securities, upon other approved collaterals; they may take possession, at the option of the trustees, of any property, movable or immovable, which may have been pledged or abandoned to said company for or concerning its business operations; they may buy, sell, hold, mortgage or subrogate real estate, pledge and transfer stocks, bonds, movable or immovable property, and generally to do and perform any act which may be necessary for the government and support of the company not inconsistent with the laws of the United States and of this State.

ARTICLE IX.

The company may commence business as soon as two hundred and fifty thousand dollars shall have been subscribed.

Subscriptions to the capital stock of the company, subsequent to its organization, shall be upon the same terms as the original.

Until the whole capital stock is taken up, the subscription list shall remain open for new subscribers; but it shall be closed to subscribers during the three months preceding the days which terminate the fiscal year. The stockholders shall not be held liable for any losses or damage which may be incurred by this company in any sum greater than the amount of their subscription and indebtedness.

No transfer of less than one full share will be permitted.

Transferees of shares, not fully paid up, shall assume all the indebtedness thereon, under the approval of the trustees.

ARTICLE X.

All the corporate powers of this company shall be vested in a Board of Trustees composed of twenty-five stockholders, seven of whom shall form a quorum for the transaction of business, to be elected by ballot annually on the fourth Tuesday in July, at the office of the company, of which election the secretary shall give at least ten days' notice in at least two newspapers published in this city. The Board of Trustees shall appoint from among the stockholders, not trustees, three inspectors of said elections, and if any of said inspectors should decline or fail to attend the president may appoint others to fill the vacancy.

The new Board of Trustees will take their seats on the first Tuesday in August after the election and remain in office during the year following until others are elected in their stead.

Those persons receiving a plurality of votes shall be declared duly elected. Should there be no election on the day appointed, the president shall cause another election to be held within ten days thereafter, upon due notice in two or more newspapers published in this city.

The Board of Trustees shall, annually, at their first meeting, elect a president and vice president, who shall be ex officio members of the Board of Trustees, and they shall hold their offices until their successors are elected and qualified. The president shall preside at all meetings of the Board of Trustees and at all meetings of the stockholders of the company, and shall conduct the business of the company generally under the supervision of the Board of Trustees.

The vice president shall preside at the meetings aforesaid in the absence of the president, and, in his absence, shall sign the policies of insurance of the company.

The trustees shall fix the compensation of all officers and clerks employed or elected by them. They shall have power to adopt such by-laws as they may deem necessary for the government and regulation of the company, not contrary to this charter or to the acts of the Legislature of this State relating to the organization of corporations, and to appoint agents within and out of the State, under restrictions to be prescribed by the trustees.

No person shall be a trustee of this company who does not, at the time of his election and continuance in office, own in his own name, or in the name of the commercial firm of which he may be a member, at least ten shares of the capital stock thereof.

Each and every stockholder shall be entitled at elections, either in person or by proxy, to one vote on each and every share of the capital stock held by them respectively, but no stock shall be entitled to a vote which shall have been transferred within three months previous to said election.

ARTICLE XI.

At the time of the expiration of this charter, or sooner if ordered by a vote of two-thirds of the stockholders, the affairs of this company shall be liquidated, its debts paid under the charge and superintendence of three commissioners, to be chosen by the Board of Trustees, who shall remain in office until the final liquidation of the affairs of the company; provided the entire liquidation shall not extend beyond a period of two years, after which time the trustees may, at their option, continue the commissioners in office or appoint others in their place or stead.

ARTICLE XII.

The following named persons shall constitute the first Board of Trustees, who shall remain in office until the second Tuesday of July, 1872, or until their successors are elected and qualified; and they are hereby invested with all the rights and powers thereunto belonging, with power to fill any vacancies which may occur in their number, and generally to do and perform all and every act not herein provided for, which may be necessary to carry into full effect the objects and purposes of this corporation:

Robert M. Davis, A. Haber,
A. Socola, R. Dumestre,
Richard England, S. Cambon,
J. K. Gourdain, P. H. Monsseaux,
N. A. Llambias, Ernest Pragst,
Joseph David, V. Battalora,
F. Jaufroid, F. Schumacher,
M. Berwin, P. Saloy,
J. J. Reiss, J. B. Solari,
G. L. Ferre, J. Neuhauser,
F. Sancho, J. Mizzi,
H. Manuel, M. Draskovich,
Charles Kerr.

ARTICLE XIII.

A majority of all the trustees elected may provisionally accept any additional power or privilege that may hereafter be conferred on this corporation, either by amendment under the act by which it was formed, or by any new act or enactment, and may amend these articles of association or corporation; but the final adoption and acceptance of such additional powers or privilege of amendment shall be by a vote of the stockholders, in the manner provided by law.

ARTICLE XIV.

Any person who may insure in this company shall be entitled to a rebate or cash return, such as the trustees may from time to time determine, but any assured, receiving such cash return, shall not in any manner participate in the earnings or dividends of the company.

All premiums shall be due and payable in cash, under such rules as the trustees may, from time to time, adopt.

ARTICLE XV.

The lists of subscription signed by the appearers and the other subscribers to the capital stock of said "People's Insurance Company of New Orleans," with the number of shares subscribed by them following their respective names, are hereto annexed and made part of these presents.

This done and passed at the city of New Orleans, in my office, on this twenty sixth day of April, eighteen hundred and seventy-one, in presence of Messrs. Charles Ferdinand Claiborne and Andre Doriocourt, Jr., competent witnesses, who have signed with the appearers, and me, notary, after reading.

Original Signed:

	Shares.		Shares.
R. M. Davis	10	A. Socola	40
S. Cambon	50	M. Berwin	10
F. Jaufroid	10	R. Dumestre	25
B. Saloy	50	J. B. Solari	10
H. Manuel	10	N. A. Llambias	50
Joseph David per pro J. Massa	25	J. K. Gourdain	10
		Charles Kerr	10
M. Drascovich	25	G. L. Ferre	20
V. Battalora	20	James J. Reiss	10
Ernest Pragst	50	Fran. Sanch	10
F. Schumacher	10	A. Haber	20
Joseph Mizzi	10	Jacob Neuhauser	15
J. H. Monsseaux	10	And others.	

ANDRE DORIOCOURT, JR.,
CHARLES F. CLAIBORNE, Witnesses.

ANT. DORIOCOURT, Notary Public.

I certify the foregoing to be a true copy of the original, which is duly stamped and on record in my office.

In faith whereof I have signed my name and affixed the impress of my seal of office, at New Orleans, this twenty-sixth of April, 1871.

ANT. DORIOCOURT, Notary Public.

I, the undersigned, Recorder of Mortgages in and for the city of New Orleans and parish of Orleans, State of Louisiana, do hereby certify that the within charter has been this day duly recorded in my office, in Book Society No. 8, folio 351, et seq., as provided by law.

C. DARCANTEL, Deputy.

New Orleans, April 26, 1871. ap29 1aw4w

CHARTER..........................CHARTER.

STATE OF LOUISIANA CITY OF NEW ORLEANS.

Be it known that on this fifth day of April, in the year one thousand eight hundred and seventy-one, before me, Edward Barnett, a notary public in and for the parish and city of New Orleans, State of Louisiana aforesaid, duly commissioned and sworn, personally came and appeared Edwin H. Summers, Esq., President of the Crescent City Bank, a corporation established in this city, under the laws of this State, herein acting in his aforesaid capacity, under and by virtue of a resolution adopted by the Board of Directors of said bank, at their sitting of the twenty-ninth of March last, 1871, a certified copy of which is hereto annexed for reference, who declared that in order to carry into effect the resolutions adopted at a general meeting of the stockholders of said institution, held on the twenty-fifth day of March, 1871, pursuant to a call made by the said Board of Directors, after the time and notices required by law, as will appear by reference to the annexed certified copy of the proceedings of said Board of Directors, and to the original proces verbal of said general meeting of stockholders, representing and owning in the aggregate eight thousand one hundred and ninety-eight shares of the capital stock of said bank, and, therefore, more than two-thirds required by law, he, the said appearer, acting in his aforesaid capacity, does, by these presents, on behalf of the stockholders of the said Crescent City Bank, declare, proclaim and publish the following changes and amendments to the charter of said Crescent City Bank, which have been unanimously adopted at the said original meeting of stockholders of said bank, to be henceforth binding and obligatory upon the stockholders of said institution and all others whom the same shall or may concern, and that the articles of association and charter of said bank be and are accordingly amended as follows, viz:

First—Every five shares of the present stock of the said bank shall be converted into one share of one hundred dollars.

Second—This series of stock so converted shall be entitled to any surplus realized from the assets of the bank as they now stand, over and above twenty dollars per share.

Third—The capital subscribed shall not be less than four hundred thousand dollars, estimating the present stock as above stated.

Fourth—The Board of Directors shall be composed of seven members and no more; and every member of the board shall own at least five thousand dollars of stock in said bank.

Thus done and passed in my office at the city of New Orleans aforesaid, on the day, month and year first above written, and in presence of Messrs. Marcel T. Ducros and Joseph W. Jones, competent witnesses who sign their names with said appearer and me notary.

Original signed:

E. H. SUMMERS,
M. T. DUCROS,
J. W. JONES.

EDWARD BARNETT, Notary Public.

I certify the foregoing to be a true copy of the original act extant in my current records.

In faith whereof I grant these presents, under my signature and the impress of my seal of office, at the city of New Orleans, on this fifth day of April, eighteen hundred and seventy one.

EDWARD BARNETT, Notary Public.

NOTICE.—Books of subscription are now open at the Crescent City Bank for stockholders who may wish to avail themselves of the privilege of taking additional stock under the amendment to the charter.

CHARLES FAURIE, JR., Cashier.

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