New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES.

OFFICIAL JOURNAL OF NEW ORLEANS

CITY COUNCIL—OFFICIAL.

SPECIAL MEETING.

City Hall, New Orleans, } Friday, April 26, 1872. }

The Council met in special session at one o'clock.

Present—Mayor Benj. F. Flanders in the chair, and Administrators H. Bonzano (Assessments), John S. Walton (Finance), James Lewis (Police), F. C. Remick (Commerce), L. T. Delassize (Waterworks and Public Buildings), Alfred Shaw (Accounts), and John Cockrem (Improvements).

The Mayor said he had called the meeting at the request of two or three Administrators, who would state its object.

Election of Fiscal Agent.

Mr. Cockrem—I move that the Council do now proceed to the election of a fiscal agent, in accordance with section seventeen of an act entitled "an act to authorize the Council of the city of New Orleans to levy a police tax; to regulate levies of taxes, the proceedings of tax suits and the jurisdiction of the district courts for the parish of Orleans in reference thereto; to define and punish forgery in certain cases; to authorize the funding of the floating debt; to consolidate, limit and provide for the debt of the city of New Orleans, principal and interest; to authorize a tax for the support of the city government, and to establish a fiscal agency, defining its duties, and for the better enforcement of the collection of all taxes," approved April 26, 1872.

Mr. Bonzano moved that the funding bill be read.

Section seventeen was read as follows:

Sec. 17. That as soon as practicable after the passage of this act, the Council shall proceed to the election of a chartered State or national bank, as Fiscal Agent of the city of New Orleans; and upon its election, acceptance and entering into due notarial contract, all present fiscal agencies shall cease, and their assets, duties and functions shall be transferred to the fiscal agency herein created. That the Administrator of Finance shall deposit with said fiscal agency, daily, all moneys collected by him from whatever source. That the Fiscal Agent shall set apart, and keep in separate funds, the sums of money deposited on account of the consolidated loan tax, and for the payment of the interest and principal of the various bonds issued and to be issued by the city of New Orleans, and such funds shall not be subject to the draft of any city official, but shall be a vested right of the bondholders. That under the direction of the commissioners of the consolidated debt, or of the Council, under existing laws, said Fiscal Agent shall purchase from time to time, before maturity, such bonds of the city as there may be funds in its hands to pay for, and shall cancel the same. In the event of interest coupons falling due previously to the collection and deposit of the taxes imposed for the payment of said coupons, it shall be nevertheless obligatory on the fiscal agency hereby created to pay said coupons on presentation, and any amount thus advanced shall be reimbursed to said agency out of the first taxes collected.

It shall have an agency in the city of New York (for the performance of duty by which it shall be responsible), for the payment of coupons or redemption of bonds provided to be paid there. The fiscal agency hereby created may be changed and taken away by the Council by a vote of three-fourths of the members thereof, for cause, provided the same can not be removed, or the assets transferred without its consent, so long as the city is indebted to any fund or account, and until the fiscal agency is fully reimbursed, or so long as there shall remain any contract unexpired between it and the city.

[Mr. Bonzano in the chair.]

The Mayor took the floor and said: As no one seems disposed to discuss the motion, I wish to say, with the permission of the Council, that I think it inexpedient and improper at this time. First, the law under which the Council assumes to act has not been promulgated, and this will look like a very hasty step. I wish, furthermore, to say that, as I understand the object and intention of the motion, it is to elect a particular bank the fiscal agent, and as I have no vote upon a question of election, I simply wish to put on record my opinion that no bank should be elected fiscal agent of the city until it has been ascertained that it has sufficient strength to undertake the office, and until it has given us sufficient guarantees for the safety of the funds committed to its hands. I think inquiry should be made on these points before any bank is selected. I do not intend to discuss the matter. I simply rise to put in my objection, first, to this being done at all at the present time; and, secondly, to any bank being chosen without its first being proved to be in a sound financial condition, and competent to perform the duties required of it.

Mr. Cockrem—The only object I have in bringing this matter up to-day is that several members of the Council will leave for Cincinnati to-morrow, and may be gone a week, or possibly three weeks, and it is pretty well understood by the Council that one bank is to be elected Fiscal Agent. As to the solvency of that institution probably the Administrator of Finance (Mr. Walton) can give us some information.

The Chair—Do I understand this to be a meeting of the Council, or merely a meeting in committee to discuss the question?

The Mayor—It is a meeting of the Council to act upon this matter, for the reasons stated by the Administrator who has just taken his seat.

Mr. Lewis—I am favorable to the transfer of the fiscal agency to this bank according to law, but the question raised by the Mayor, that the bill has not been promulgated, and is not yet a law, rather takes me aback. I don't know whether this bill has been signed yet by the Governor, or whether it ever will be.

Mr. Cockrem—I will state, for the information of the Administrator, that it was signed this morning, at half-past ten o'clock, in my presence.

Mr. Lewis—This is rather a hasty step. These gentlemen will be back from Cincinnati in ten or twelve days at the furthest and we can just as well act upon it then as now. When the question comes up I shall certainly support it. I have been favorable to the change from the first and introduced a resolution to that effect some time ago, but I think if it were postponed ten or twelve days it would be better.

Mr. Cockrem called for the yeas and nays on the question of going into an election.

Yeas—Bonzano, Walton, Remick, Delassize, Cockrem—5.

Nays—Lewis, Shaw—2.

An election was ordered.

Mr. Cockrem nominated the Louisiana Savings Bank and Safe Deposit Company.

Mr. Shaw stated that had there been time to consider this question fully he would nominate and vote for the Bank of New Orleans, which had performed its duties as Fiscal Agent to general public satisfaction. It had a contract relative to some of the functions of the city agent, which would last to next first of January, and the city was still indebted to the bank. Being opposed to an election at this time, he would vote *blank*.

Mr. Delassize asked what the capital of the Louisiana Savings Bank was.

The Chair—I presume the Administrator of Finance can give you the information.

Mr. Walton replied, one hundred thousand dollars.

Mr. Lewis moved to postpone the election.

Mr. Shaw seconded the motion.

The yeas and nays were called on the question to postpone.

Yeas—Shaw, Lewis—2.

Nays—Cockrem, Delassize, Remick, Walton, Bonzano—5.

No other nomination being made, the Chair put the question that the Louisiana Saving's Bank be elected the Fiscal Agent of the city, upon which question the yeas and nays were called:

Yeas—H. Bonzano, John S. Walton, F. C. Remick, L. T. Delassize, John Cockrem—5.

Nays—James Lewis, Alfred Shaw—2.

The Mayor asked whether this was an election or merely a vote on a resolution, because there had been no ballot or viva voce voting, and if any question of responsibility was thrown upon him he wanted the matter to come before him in proper shape.

Mr. Cockrem moved a reconsideration of the vote just taken and that an election be held, each Administrator, as his name was called, naming the bank for which he desired to vote.

A reconsideration was ordered.

Mr. Lewis again moved that the election be postponed.

Mr. Shaw seconded the motion.

Lost by the same vote as previously.

The Mayor—The question being up again, I wish to be put on record as expressing my opinion that the Council in acting in this way is committing a very grave mistake.

The Chair—The question is now on the election of a Fiscal Agent for the city of New Orleans. Administrators will vote as their names are called.

For the Louisiana Savings Bank and Safe Deposit Company there voted Administrators Cockrem, Delassize, Remick, Walton and Bonzano.

Administrators Shaw and Lewis voted blank.

The Chair announced that the Louisiana Savings Bank was elected Fiscal Agent of the city by the vote just taken.

Mr. Cockrem offered the following resolution:

Whereas, the Louisiana Savings Bank and Safe Deposit Company has been elected by the Council Fiscal Agent of the city of New Orleans in conformity to section seventeen of an act entitled "an act to authorize the Council of the city of New Orleans to levy a police tax; to regulate levies of taxes, the proceedings of tax suits, and the jurisdiction of the district courts for the parish of Orleans in reference thereto; to define and punish forgery in certain cases; to authorize the funding of the floating debt; to consolidate, limit and provide for the debt of the city of New Orleans, principal and interest; to authorize a tax for the support of the city government, and to establish a fiscal agency, defining its duties, and for the better enforcement of the collection of all taxes;" approved April 26, 1872; therefore, be it

Resolved, That the Mayor, Administrator of Finance and Administrator of Public Accounts are directed to make a notarial contract with the Louisiana Savings Bank and Safe Deposit Company, in accordance with the act approved April 26, 1872.

Resolved, That the New Orleans National Banking Association is hereby directed, upon the completion of said contract, to deliver to the Louisiana Savings Bank and Safe Deposit Company, under the direction of the Mayor, the Administrator of Public Accounts and the Administrator of Finance, all funds and accounts belonging to the city, now held by said bank.

Mr. Lewis moved a postponement.

Lost.

Mr. Shaw moved that the Administrator of Public Accounts be omitted from the resolution.

No seconder.

Mr. Shaw respectfully asked to be relieved.

Mr. Cockrem objected.

Mr. Walton said if any one were omitted it might be proper to omit the Administrator of Finance. Still he did not object to serve if the Council wished it.

Mr. Bonzano remarked that the case was not without precedent. Mr. Samuel J. Peters was chairman of the finance committee and president of the Louisiana State Bank.

The roll was called on the passage of the resolution.

Yeas—Bonzano, Walton, Lewis, Remick, Delassize, Cockrem—6.

Nay—Shaw—1.

Cincinnati Convention.

Mr. Shaw presented the following resolution:

Whereas, The Council is informed that some of its members will, during the coming week, visit the city of Cincinnati—

Resolved, That the said members be requested to examine the waterworks systems of Louisville, Cincinnati, Covington and Newport, and such other places as they may conveniently visit upon their way, and report their investigations and recommendations thereupon to the Council.

After discussion the resolution was tabled.

Leave of absence for fifteen or twenty days was granted to the Administrators of Waterworks and Commerce to enable them to attend the Cincinnati convention.

The Council then adjourned.

H. CONQUEST CLARKE,
Secretary.

Requirements of the Presidency.

In an article on the requirements of the Presidency, the New York *Nation* concludes as follows:

The Presidency is not the proper school in which to teach a man how to transact business. No man who has not acquired a knowledge of affairs before he reaches the age at which the Presidency is usually attainable is ever likely to acquire it afterward. A knowledge of the tricks of electioneering he may acquire, just as any man may acquire a knowledge of battalion drill; but that familiarity with the principles and machinery of government, and with the vast and complex interests of a great commercial society, which a President needs, can hardly be acquired in less than a lifetime. To say this is to say that there is something absurd in the plea that if a President is honest he is all right. His personal honesty is comparatively a small matter, and it daily becomes smaller if his habits, pursuits and experience do not give him an all but intuitive knowledge of the various ways in which frauds may be perpetrated, and do not enable him to see at a glance what it is a rogue is driving at. We have got to a pass in our history at which the most honest of Presidents, if he be honest only, may be every day made the pliable and unconscious tool of knaves. Let us add, too, that no man who is not a man of affairs and education, can retain very long in the Presidential chair in our time, let him be never so honest, a very hearty horror of knavery. The means by which knavery is disguised, the dexterity of knavery in obscuring the line at which a transaction passes from the doubtful into the thieving phase, are matters which only practiced eyes can discover, and no man can ever war stoutly and persistently against what he does not see clearly, and for what he does not hold tenaciously. No President will ever be a real friend of civil service reform whose resolution a Murphy or a Forney has wit enough to "sickly o'er" without doubt or hesitation.

LAWS OF THE STATE OF LOUISIANA

PUBLISHED BY AUTHORITY.

No. 73. AN ACT

To authorize the Council of the city of New Orleans to levy a police tax; to regulate levies of taxes, the proceedings of tax suits, and the jurisdiction of the district courts for the parish of Orleans in reference thereto; to define and punish forgery in certain cases; to authorize the funding of the floating debt; to consolidate, limit and provide for the debt of the city of New Orleans, principal and interest; to authorize a tax for the support of the city government, and to establish a fiscal agency, defining its duties, and for the better enforcement of the collection of all taxes.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the Council of the city of New Orleans be and is hereby authorized and empowered to levy and assess a police tax, additional to all taxes levied in the month of December, 1871, for the purpose of defraying the police expenses of the year ending September, 30, 1872, and any deficiencies in the revenues of the city arising from the over receipt of police warrants for city taxes.

Sec. 2. Be it further enacted, etc., That said levy shall be made and assessed according to the assessment rolls homologated by the City Council December 12, 1871, which, for this purpose, and all future official reference thereto, shall be denominated the assessment rolls for 1872; the city taxes levied December 19, 1871, shall be denominated the taxes of 1872, and the licences under ordinance No. 1229, Administration series, shall be denominated the licenses of 1872.

Sec. 3. Be it further enacted, etc., That the tax hereinbefore authorized shall not exceed one half of one per cent of the assessed valuation of the real, personal and mixed property, according to the said rolls.

Sec. 4. Be it further enacted, etc., That said levy be made, any provision of section seven of act No. 42 of 1871 to the contrary notwithstanding, which is hereby repealed so far as it may conflict with any provision of this act.

Sec. 5. Be it further enacted, etc., That the Administrator of Public Accounts shall, as soon as practicable after the passage of this act, cause to be made out the bills required for the collection of the tax, which shall be signed by him, or a person or persons authorized by him so to do. Or he may consolidate the additional police tax herein authorized with the former city tax levies, and make and remake bills for the same, either together or separately; all bills, whether of the present or said former levies for the year 1872, to be signed by the Administrator of Public Accounts, or by a person or persons authorized by him so to do.

Sec. 6. Be it further enacted, etc., That the said bills for additional police tax shall be collectable from March 1, 1872, to July 31, 1872, and exigible thereafter; and may be sued together with or separately from the other city taxes of the year 1872; provided no additional fee shall be allowed to the Sheriff or clerk for the fact of there being separate bills for different levies of taxes or separate bills for different properties of the same person; but the taxes of each delinquent may be embraced in a single suit, with but one fee to the clerk and Sheriff for their respective services. No crier's fee shall be allowed in any tax suit hereafter.

Sec. 7. Be it further enacted, etc., That for the purpose of all city tax suits, whether for police or other purposes, and whether of one hundred dollars or over or under that amount, all or either of the district courts for the parish of Orleans, excepting the First and Second, are hereby expressly invested with jurisdiction, and justices of the peace are hereby divested of such jurisdiction; provided, the Second District Court may entertain jurisdiction of tax suits against successions.

Sec. 8. Be it further enacted, etc., That if at any time any assessment made by or under authority of the Council of the city of New Orleans shall be declared or become void and without effect by reason of non-compliance with any formality or requirement relative to the imposition of municipal taxes, then and in that case the Council shall have full authority and power by ordinance or otherwise to make a new assessment in place of the assessment thus becoming or being declared null and void and to place the tax bills or certified accounts in court and obtain judgment therefor, after publication for the length of time and in the manner provided for the collection of city taxes. It being the true intent and meaning of this law that the city of New Orleans shall not lose the right to collect annual taxes by reason or on account of any legal informality.

Sec. 9. Be it further enacted, etc., That no money shall be received or collected by the city of New Orleans, by any department, unless an order, bill, or receipt for the same shall have been made out by the Administrator of the proper department, and signed or countersigned by him, or by some person authorized by him; and no receipt to any person for money, notes, or anything else taken by the city on account of revenue, or on any other account, shall be valid unless so signed or countersigned.

Sec. 10. Be it further enacted, etc., That it is hereby declared a felony to forge or falsely sign, fill up, alter, or utter, or publish as true any bill, certificate, receipt, account, or any part thereof, as given, made out, or signed by the Mayor or any Administrator of department of the city of New Orleans, or by any officer, deputy, clerk, or other person authorized by them or either of them, and which may be given credence to, or pass, or be received as genuine or authorized, and be calculated to deceive or defraud any holder, receiver, transferee, pledgee, or other person. Any person, upon being found guilty of such offense, shall be sentenced to imprisonment at hard labor not less than two nor more than twenty years.

Sec. 11. Be it further enacted, etc., That all taxes due and unsettled at the passage of this act, or hereafter becoming due, are hereby declared to be a lien and privilege upon the property assessed for the same, to have priority over all other liens or privileges. And against all other properties of the delinquent they shall have the force and effect of a lien from the date of their being recorded in the mortgage office as hereinafter provided.

Sec. 12. Be it further enacted, etc., That as soon as practicable after the passage of this act, the Administrator of Public Accounts shall prepare registers of all taxes due and exigible. For the purpose of aiding him in so doing, the Administrator of Finance, the clerks of courts, the Civil Sheriff, and all attorneys and ex-officers, shall turn over to him, for his temporary use, all bills, accounts, writs and records in their hands; and for so doing, shall not be entitled to any fee. The Administrator of Public Accounts shall enter in duplicate registers all the necessary particulars and dates for recording and settlement of the accounts, including interest and costs incurred. One of said registers, for taxes of 1871 and previous years, with index thereto, he shall deposit in the mortgage office, and the deposit of said register and index shall be a due recording and inscription of the lien and mortgage in said office; and no fee shall be allowed to the recorder of mortgages for such inscription; but he shall be allowed one dollar each for canceling the same, which he may do upon the certificate of the Administrator of Public Accounts of the payment or settlement thereof. After the thirty-first of July in each year a like register for the unpaid taxes of the year shall be in like manner deposited, under the same provisions as the foregoing.

Sec. 13. Be it further enacted, etc., That for unbonded debts existing December 31, 1871, and unpaid at the time of the passage of this act, or caused by receipts of certificates of 1871, for revenues proper of 1872, and for excavations and levees, drainage machinery and revetments authorized by law or required for the protection of the city from overflow or inundation the city may issue from time to time, as they may be required, bonds of the denominations of five hundred and one thousand dollars, having fifty years to run, and bearing seven per cent interest, principal and interest payable in gold in New York or New Orleans, and at any other points that the Council may designate, with [illegible]erly coupons, and that the bonds t[illegible]d shall be called the new consoli[illegible]t of New Orleans. No bonds shall be issued but by authority of the Council, nor for a lower rate than ninety cents on the dollar; all issued for excavations and levees, authorized by act No. 30 of 1871, or by drainage laws previously enacted, shall be marked "Drainage Series," and all taxes collected for drainage, and not required for the payment of drainage warrants, shall be devoted to the purchase from the lowest bidder of bonds issued for drainage; no bid to be accepted above par, and the right reserved to the Council to reject all unsatisfactory bids.

And for other bonds of the city not matured, bearing interest at not less than seven per cent, the city may exchange bonds of the new consolidated debt, at such prices, not less than par, for the new consolidated debt bonds as may be found to the advantage of the city; but no exchange shall be effected except by consent and order of the Council, publicly given, or ordinance fully authorizing the same.

For all bonds fully matured and payable so soon as the term they were issued for shall have expired, and which the city shall not have available funds to pay in cash, the city may exchange new consolidated bonds, at the rate of not less than ninety cents on the dollar on demand of the holders of the bonds so matured.

And it is furthermore enacted that at no time shall the face of the bonded debt outstanding and unredeemed added to the certified debt of every form exceed twenty-three millions of dollars and all issue of bonds or evidences of indebtedness whatever in excess of said amount shall be unlawful, and shall not import or convey any obligation. And if any person under color of office, or otherwise, shall issue any bond or warrant in violation of this section, he shall be prosecuted criminally by indictment or information, and upon conviction, shall be condemned to imprisonment for two years; and any person negotiating or attempting to negotiate such bond or warrant shall be considered an accessory to the fact, and subject to the same punishment as the said offender.

Sec. 14. Be it further enacted, etc., That within the months of November and December, 1872, and annually thereafter, the Council shall adopt estimates of receipts and expenditures (the latter including police and excluding schools) for the ensuing year. The estimate of expenditures shall not be finally adopted until one week shall have elapsed after final adoption of the estimate of revenues, and it shall not exceed the same.

Sec. 15. Be it further enacted, etc., That the Council, after the adoption of the estimate, shall proceed to levy the annual taxes required, to wit:

First—The city debt tax, which shall be based upon the detailed estimate of the sinking funds and interest falling due. For all bonds for which no other retiring provision exists by law, an estimate shall be included of not less than two nor more than ten per cent of the face of the bonds outstanding of any of the several issues, which shall be applied to the retiring of bonds offered at the most advantageous rates, no bid to be accepted higher than par, and the right reserved to reject all bids. No limit other than herein laid down shall apply to this tax, which is hereby declared a vested right of the bondholders interested.

Second—A tax for current city expenses, including police, and exclusive of interest and schools. This tax shall in no year exceed one and a quarter per cent upon the assessed value of real, personal and mixed property.

These taxes shall bear the name of the year in which they shall be collectible, and the assessment upon which they shall be made shall be termed the assessments for the said year.

Sec. 16. Be it further enacted, etc., That no provision in any general law of the State limiting the power of taxation by the several cities, towns, parishes and other corporations shall be held to apply to any of the taxes of the city of New Orleans, herein or otherwise specially authorized to be levied.

Sec. 17. Be it further enacted, etc., That as soon as practicable after the passage of this act, the Council shall proceed to the election of a chartered State or a national bank, as Fiscal Agent of the city of New Orleans; and upon its election, acceptance and entering into due notarial contract, all present fiscal agencies shall cease, and their assets, duties and functions shall be transferred to the fiscal agency herein created. That the Administrator of Finance shall deposit with said fiscal agency, daily, all moneys collected by him from whatever source. That the Fiscal Agent shall set apart, and keep in separate funds, the sums of money deposited on account of the consolidated loan tax, and for the payment of the interest and principal of the various bonds issued and to be issued by the city of New Orleans, and such funds shall not be subject to the draft of any city official, but shall be a vested right of the bondholders. That under the direction of the commissioners of the consolidated debt, or of the Council, under existing laws, said Fiscal Agent shall purchase from time to time, before maturity, such bonds of the city as there may be funds in its hands to pay for, and shall cancel the same. In the event of interest coupons falling due previously to the collection and deposit of the taxes imposed for the payment of said coupons, it shall be nevertheless obligatory on the fiscal agency hereby created to pay said coupons on presentation, and any amount thus advanced shall be reimbursed to said agency out of the first taxes collected.

It shall have an agency in the city of New York (for the performance of duty by which it shall be responsible), for the payment of coupons, or redemption of bonds provided to be paid there. The fiscal agency hereby created may be changed and taken away by the Council by a vote of three-fourths of the members thereof, for cause, provided the same can not be removed, or the assets transferred without its consent, so long as the city is indebted to any fund or account, and until the fiscal agency is fully reimbursed, or so long as there shall remain any contract unexpired between it and the city.

Sec. 18. Be it further enacted, etc., That all laws or parts of laws in conflict with this act be and the same are hereby repealed, so far as they are in conflict, and this act shall have force and effect from its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved April 26, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

No. 13. AN ACT

To authorize the police jury of the parish of Red River to issue bonds for certain purposes.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That for the purpose of building a courthouse and jail, and paying the indebtedness of the parish, the police jury of the parish of Red River are hereby authorized to issue the bonds of said parish, duly signed by the president and treasurer of said police jury, and bearing the impression of the parish seal.

Sec. 2. Be it further enacted, etc., That the bonds so issued shall not exceed in amount the sum of twenty thousand dollars, or so much thereof as may be necessary, and shall be of such denomination and form as the police jury may prescribe. They shall be made payable to bearer, one, two, three, four five, six, seven, eight, nine and ten years after date, respectively, with coupons attached, and shall bear interest at the rate of eight per cent, payable semi-annually upon the presentation to the parish treasurer. They may be sold under the direction and control of the police jury, on the most advantgeous terms.

Sec. 3. Be it further enacted, etc., That in order to provide a fund for the payment of the semi-annual interest and bonds as they become due, the police jury of said parish is hereby authorized and required, within thirty days after the assessment roll of said parish shall have been completed, or as soon thereafter as possible, to determine what rate of taxation on the total assessed value of all the movable and immovable property in said parish will be sufficient for the purpose of paying the said bonds as they become due, and the said semi-annual interest and said tax, as annually determined and ascertained, is hereby levied upon all movable and immovable property that may be annually assessed in said parish, and it shall be the duty of the said police jury to enforce the collection of said tax in the same manner as the law provides or may hereafter provide, for the collection of all other parish taxes. Said tax, when collected, shall be applied exclusively to the purposes mentioned in this act, and said tax shall be payable in United States currency.

Sec. 4. Be it further enacted, etc., That until the final payment of the bonds authorized to be issued by this act, it shall be the duty of the police jury of said parish to apply the proceeds of the tax, collected by authority of this act, to the redemption of said bonds, in such manner as may be deemed by them most advantageous to the best interests of the parish.

Sec. 5. Be it further enacted, etc., That all expenses necessary to carry into effect the provisions of this act shall be be paid by the parish; and this act shall take effect from and after its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved March 4, 1872.
(Signed) H. C. WARMOTH,
Governor of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

No. 36. AN ACT

For the relief of William P. Harper.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the sum of seven thousand three hundred and fifty dollars be and the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to pay a certificate of indebtedness issued by the board of public works eighteenth January, 1861, to Thomas Hunter, in settlement of the work performed on Bayou Pierre river, under act Nos. 168, approved March 18, 1858, and that the State Auditor is hereby authorized and directed to warrant upon the State Treasurer in favor of William P. Harper, the assignee of said Hunter, to pay the same. Provided, that said W. P. Harper give security to the Auditor of Public Accounts on payment of said claim in a sufficient amount to protect the State against the payment of the original warrants, said to be lost.

Sec. 2. Be it further enacted, etc., That this act take effect from and after its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved April 23, 1872.
(Signed) H. C. WARMOTH.
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

No. 25. AN ACT

To appropriate money to pay the mileage and per diem and contingent expenses of the General Assembly.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the sum of seventy-five thousand dollars, or so much thereof as shall be necessary, be and the same is hereby appropriated out of any money in the State treasury to the credit of the general fund to pay the per diem, mileage and contingent expenses of the General Assembly of Louisiana; twenty-five thousand thereof to be set apart for the use of the Senate, and the sum of fifty thousand thereof shall be set aside for the use of the House of Representatives.

Sec. 2. Be it further enacted, That the fund from whence this appropriation is taken shall be so reimbursed out of the first money paid into the treasury; provided, That nothing herein shall be so construed as to change or alter the warrants already preferred by law.

Sec. 3. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved April 20, 1872.
(Signed) H. C. WARMOTH.
Governor of the State of Louisiana.
A true copy:
J. W. Fairfax.
Assistant Secretary of State.

No. 26. AN ACT

For the relief of James Upshaw, former sheriff of Bienville parish.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That James Upshaw, former sheriff of the parish of Bienville, together with J. H. Sheen, J. P. Webb, C. Hightower and J. H. Burke, sureties upon the official bond of the said James Upshaw, be and are hereby exonerated and released from the payment of any and all claims contracted by him or them, either as sheriff or sureties and claimed to be due to the State.

Sec. 2. Be it further enacted, etc., That James Graham, Auditor of the State, is hereby instructed to erase the name of James Upshaw from the list of defaulters.

Sec. 3. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved April 19, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

No. 68. AN ACT

For the relief of T. B. Thompson, late assessor of the parish of St. Helena.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the sum of nine hundred dollars be and is hereby appropriated out of any funds of the treasury not otherwise appropriated, for the relief of T. B. Thompson, late assessor of the parish of St. Helena, for assessing the parish of St. Helena for the years 1862, 1863 and 1864, which has never been paid.

Sec. 2. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved April 24, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

No. 27. AN ACT

To incorporate the Amis Sinceres Benevolent Association of New Orleans, Louisiana.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That C. J. Gaillard, J. C. Marant, E. L. Martinez, A. D. Burthe, A. Leonard, J. Scora, C. Silva, A. Scora, W. Guenon, D. A. Wilson, C. J. Duplessis, S. D. Cooper, M. Saragossa, J. V. Baquet, A. J. Guiranorich, and such other persons as are or who may become members of said association, are hereby erected and constituted in name and fact a body corporate and politic under the name and style of Amis Sinceres Benevolent Association of New Orleans, Louisiana, for the object and purpose of creating and perpetuating a charitable association. They shall be capable in law to purchase, receive, hold, lease, sell, or otherwise acquire or alinate real or personal estate; shall have a common seal, and may change and alter the same at pleasure; and by said corporate name may sue and be sued. Said corporation shall have, under the above title, a perpetual succession of officers and members; it shall have full power to make and adopt all by-laws and regulations it may deem fit and proper for its government, and to modify, amend and change the same; provided, said by-laws and regulations are not contrary to the constitution and laws of this State, and of the United States of America, or the constitution or laws of the State of Louisiana.

Sec. 2. Be it further enacted, etc., That the officers of this association shall consist of a president, a vice president, secretary, treasurer and orator, who shall be chosen by the majority of the members.

Sec. 3. Be it further enacted, etc., That all the power of the association is placed in the president thereof, who will have the right to sue and be sued in behalf of said society.

Sec. 4. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved April 16, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

No. 28. AN ACT

To reduce the debt of the State of Louisiana by authorizing the Mississippi and Mexican Gulf Ship Canal Company to return their State bonds, to issue first mortgage bonds in lieu thereof, and to modify the plan of their work.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That when the Mississippi and Mexican Gulf Ship Canal Company shall returned to the Auditor of the State either a portion or all of the bonds issued by the Governor of the State in aid of the said canal, the said company shall be and is hereby authorized to issue first mortgage bonds on the said canal in the proportion of one hundred and fifty bonds to one hundred and twenty bonds so returned, the said first mortgage bonds to be of the denomination of one thousand dollars, with interest coupons attached, payable principal and interest in gold or currency, at the option of the said company. The maturity of the said bonds may be fixed by said company at any time not exceeding forty years from the date thereof, and bearing interest at a rate not exceeding eight per cent per annum, and the said coupons payable semi-annually on the presentation thereof in the city of New York, or at such other place or places as the company may designate. And the mortgage thus to be given shall carry with it a first lien and privilege upon the said canal, its lands and fixtures, the said first mortgage bonds, to be indorsed by the Auditor of the State, certifying to the effect that they have been insured in the place of the State bonds retired in accordance with the provisions of this act; provided, that when all the State bonds issued to aid in the construction of the said canal shall have been returned, the said company shall stand released from all the obligations imposed upon the said company by the act granting State aid to the said canal company; and provided further, that the said canal company shall meanwhile be authorized to make such modifications in the dimensions of the said canal and lock as may be rendered necessary by engineering difficulties, and be approved by the State Engineer.

Sec. 2. Be it further enacted, etc., That all the rights, grants, powers, privileges, heretofore granted to the said company, shall remain intact, except so far as they may be altered, changed or impaired by the passage of this act, and all acts or parts of acts inconsistent with this act are hereby repealed.

Sec. 3. Be it further enacted, etc., That this act shall take effect from and after its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved April 23, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

No. 30. AN ACT

To authorize Adam O'Neth and Catherine Betzel, his wife, to change the name of their adopted child, Anna Betz, to Anna O'Neth.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That Adam O'Neth and Catherine Betzel, his wife, be and the same are hereby authorized to change the name of their adopted daughter, Anna Betz, to Anna O'Neth.

Sec. 2. Be it further enacted, etc., That this act take effect from and after its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved April 23, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

No. 23. AN ACT

For the relief of Bramstein and Bender.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the case of Bramstein and Bender et als. against the Crescent Mutual Insurance Company, in the Supreme Court, be placed by the clerk thereof upon the summary docket.

Sec. 2. Be it further enacted, etc., That this act take effect from and after its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved April 6, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

LEGAL NOTICES.

UNITED STATES DISTRICT COURT.

DISTRICT OF LOUISIANA.

IN THE MATTER OF ALFRED RHODY, BANKRUPT.

In Bankruptcy—No. 1135.

Whereas, Alfred Rhody, of New Orleans and district aforesaid, duly declared bankrupt under the act of Congress of March 2, 1867, has this day filed in said court a petition praying for a discharge and certificate thereof from all his debts and other claims provable under said act.

Notice is therefore given to all creditors who have proved their debts, and to all other persons in interest, that the second day of May, 1872, at 11 A. M., is assigned for the hearing of the same, and that they may then and there attend and show cause, if any they have, why the prayer of the said petition should not be granted; and further notice is given that the bankrupt will undergo an examination before Register Kellogg, on the thirtieth day of April, A. D. 1872, at 11 A. M., at his office, Customhouse building.

Clerk's office, New Orleans, April 10, 1872.
apl1 21 my2 K. LOEW, Deputy Clerk.

UNITED STATES DISTRICT COURT.

DISTRICT OF LOUISIANA.

IN THE MATTER OF MICHAEL GERNON, BANKRUPT.

In Bankruptcy—No. 1099.

Whereas, Michael Gernon, of New Orleans, and district aforesaid, duly declared bankrupt under the act of Congress of March 2, 1867, has this day filed in said court a petition praying for a discharge and certificate thereof from all his debts and other claims provable under said act.

Notice is therefore given to all creditors who have proved their debts, and to all other persons in interest, that the fifteenth day of May, 1872, at 11 A. M., is assigned for the hearing of the same, and that they may then and there attend and show cause, if any they have, why the prayer of the said petition should not be granted; and further notice is given that the bankrupt will undergo an examination before Register Kellogg, on the eleventh day of May, A. D. 1872, at 11 A. M., at his office, Customhouse building.

Clerk's office, New Orleans, April 19, 1872.
ap20 27 my4 K. LOEW, Deputy Clerk.

LEGAL NOTICES.

UNITED STATES DISTRICT COURT.

DISTRICT OF LOUISIANA.

IN THE MATTER OF JACOB YOUNG, BANKRUPT.

In Bankruptcy—No. 1161.

To the Honorable E. H. Durell, Judge of the District Court of the United States for the District of Louisiana, sitting in bankruptcy:

The petition of E. E. Norton, of the city of New Orleans, herein appearing as the assignee in bankruptcy of the estate of Jacob Young, bankrupt, respectfully represents that, among the assets surrendered by the bankrupt, and belonging to the aforesaid estate in bankruptcy, there is the following described real estate, situated in the State of Louisiana, in the parish of East Baton Rouge, to wit:

1. A certain piece or parcel of ground, situated in that part of the city of Baton Rouge laid out by Elie Beauregard and designated on the plan thereof as the western part of lots numbers four and five of square number forty, measuring sixty feet front on Africa street, by one hundred and twenty feet along St. Charles street, together with all the buildings and improvements thereon.

2. A certain half lot of ground, in that part of the city of Baton Rouge laid out by E. Beauregard, being the west half of lot number five, of square number thirty-eight, together with all the buildings and improvements thereon.

3. Two certain lots of ground, in that part of the city of Baton Rouge laid out by Elie Beauregard and designated on the plan thereof as lots numbers one and ten, of square number forty six, together with all the buildings and improvements thereon.

Your petitioner further represents that the said hereinbefore described real estate is, as appears of record, incumbered and charged with the following hereinafter specified mortgages, judgments, liens and privileges resting thereon, to wit:

Mortgage in favor of James A. Payne for $[illegible].
Mortgage in favor of Joseph G. Boyntere for $2107 50.
Mortgage in favor of John O'Connor for $[illegible].
Mortgage in favor of James A. Payne for $[illegible].
A twelve months' bond, secured by mortgage, for $323 50.
Judicial mortgage in favor of Margaret Moran, for $1850.
Judicial mortgage in favor of Rudolph Theurer, for $495 26.
Judicial mortgage in favor of James A. Payne, for $300.
Judicial mortgage in favor of G. W. Banker & Co. for $296 29.

And your petitioner further represents that it is impossible for him to determine the validity of said incumbrances and the amount due thereon; that he can not ascertain the value of said property by agreement between himself and the creditors holding said security, as provided in section twenty of the bankrupt act of 1867, and that it is necessary in order to ascertain the value of said property, and for the due, proper and speedy administration of said estate, and for the interest of the creditors therein, that said estate be sold at public auction, free and clear of all incumbrances. That all said judgments, mortgages, liens and privileges recorded against said property be canceled and erased, so that your petitioner can convey a clear and unincumbered title to any purchaser thereof, reserving to said James A. Payne, Joseph G. Boyntere, John O'Connor, Margaret Moran, wife of bankrupt, Rudolph Theurer, G. W. Banker & Co., and to all other persons, all their rights in law to the proceeds of the sale of said property, upon the distribution thereof.

Wherefore your petitioner prays that he may be ordered and authorized to sell said property above described at public auction, free and clear from all incumbrances. That all said judgments, mortgages, liens and privileges recorded against said property be canceled and erased, so that your petitioner can convey a clear and unincumbered title to any purchaser thereof, reserving to said James A. Payne, Joseph G. Boyntero, John O'Connor, Margeret Moran, wife of bankrupt, Rudolph Theurer, G. W. Banker & Co., and to all other persons, all the rights in law to the proceeds of the sale of said property, according to their rank. And he prays for all other necessary orders.

AUG. De B. HUGHES, Attorney.

On motion of Aug. de B. Hughes, attorney of E. E. Norton, assignee, and upon suggesting to the court that he has filed in this court the foregoing petition, it is ordered that James A. Payne, Joseph G. Boyntero, John O'Conner, Margaret Moran, wife, Rudolph Theurer, G. W. Banker & Co., and all other parties in interest, do show cause upon the seventh day of May, A. D. 1872, at 11 A. M., before this court, why the said petition should not be granted, and said property sold, as prayed for, and why all incumbrances recorded against said property should not be canceled and erased. And it is further ordered that notice of this petition and order be served upon said James A. Payne, Joseph G. Boyntero, John O'Conner, Margaret Moran, wife, Rudolph Theurer, G. W. Banker & Co., and all other persons, by serving a copy thereof upon them, their agent or attorney, or by said assignee publishing a copy of said petition and order three times in the New Orleans Republican, a newspaper printed in New Orleans, Louisiana, the last publication to be made at least five days before the day of hearing.

Signed April 15, 1872.
E. H. DURELL, Judge.

A true copy:
J. A. Charbonnet, Deputy Clerk.
Clerk's Office, New Orleans, April 15, 1872.
ap17 24 31

THE STATE OF LOUISIANA.

FIFTH DISTRICT COURT FOR THE PARISH OF ORLEANS.

NANNIE E. TARKINGTON VS. D. A. STINSON—No. —.

I hereby certify that on the nineteenth day of February, 1872, judgment was rendered in this court in the following entitled suit, in the words and figures following, to wit:

Nannie E. Tarkington vs. D. A. Stinson—No. —.

On motion of David Goldman, of counsel for plaintiff, and on producing to the court due proof of said plaintiff's demand, the law and evidence being in her favor—

It is ordered, adjudged and decreed that the judgment by default herein entered on the tenth instant, be now confirmed and made final, and accordingly that there be judgment in favor of plaintiff, Nannie E. Tarkington, and against defendant, Dr. D. A. Stinson, her husband, decreeing a separation of property between the said parties. It is further ordered that defendant pay all costs of suit.

Judgment rendered February 19, 1872.
Judgment signed February 24, 1872.
CHARLES LEAUMONT, Judge.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said court, at the city of New Orleans, on this eighteenth day of April, in the year of our Lord one thousand eight hundred and seventy-two, and the ninety-sixth year of the independence of the United States.
ap19 my4 19 LOUIS POWER, Clerk.

THE STATE OF LOUISIANA.

FOURTH DISTRICT COURT FOR THE PARISH OF ORLEANS.

ELIZA MURPHY VS. HER HUSBAND, SYLVESTER L. LANGOON—No. 31,691.

I hereby certify that on the twenty-fifth day of March, 1872, judgment was rendered in this court in the following entitled suit, in the words and figures following, to wit:

Eliza Murphy vs. her husband, Sylvester L. Langoon—No. 31,691.

On motion of J. L. Tissot, Esq., of counsel for plaintiff, and upon producing due proof of the allegations in plaintiff's petition contained, and the law and evidence being in favor of plaintiff, it is ordered, adjudged and decreed that the judgment by default herein entered on the fifteenth day of March, 1872, be now confirmed and made final, and accordingly that judgment be rendered in favor of plaintiff, Eliza Murphy, and against defendant, Sylvester L. Langoon, her husband, dissolving the community of acquests and gains which existed heretofore between them; that plaintiff be separated in property from defendant, her husband; that she be allowed to exercise all the rights of married women separated in property from their husbands according to law, and that defendant pay costs of suit.

Judgment rendered March 25, 1872.
Signed March 30, 1872.
PAUL E. THEARD, Judge.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said court, at the city of New Orleans, on this first day of April, in the year of our Lord one thousand eight hundred and seventy-two, and the ninety-sixth year of the independence of the United States.
WILLIAM H. CARSON, Deputy Clerk.
ap24 my5 24

THE STATE OF LOUISIANA.

FIFTH DISTRICT COURT FOR THE PARISH OF ORLEANS.

MRS. AMELIE DEBIAUNE VS. RAYMOND MANENT—No. 2739.

I hereby certify that on the twenty-eighth day of March, 1872, judgment was rendered in this court in the following entitled suit, in the words and figures following, to wit:

Mrs. Amelie Debiaune vs. Raymond Manent—No. 2739.

On motion of E. Cambray, of counsel for plaintiff, and on producing to the court due proof of plaintiff's demand, the law and evidence being in favor of plaintiff—

It is ordered, adjudged and decreed, that the judgment by default herein entered on the seventh of November, 1871, be now confirmed and made final; and, accordingly, that there be judgment in favor of plaintiff, Mrs. Amelie Debiaune, and against defendant, Raymond Manent, her husband, decreeing a separation of property between the said parties, and that plaintiff recover of defendant the sum of six thousand dollars, with legal interest thereon from November 25, 1859, until paid, and costs of suit, with lien and privilege as allowed by law to married women on the property of their husbands.

Judgment rendered March 28, 1872.
Signed April 3, 1872.
CHARLES LEAUMONT, Judge.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said court, at the city of New Orleans, on this eighteenth day of April, in the year of our Lord one thousand eight hundred and seventy-two, and the ninety-sixth year of the independence of the United States.
PHILIP POWER, JR.,
ap24 my9 24* Deputy Clerk.

IN THE DISTRICT COURT OF THE UNITED STATES.

DISTRICT OF LOUISIANA.

IN THE MATTER OF FRANCIS J. HERRON, Bankrupt.

In Bankruptcy—No. 626.

The creditors of the above estate are hereby notified that the second and third general meetings of the creditors will be held at the office of C. S. Kellogg, one of the Registers in Bankruptcy, Customhouse building, at the city of New Orleans, on the sixth day of May, 1872, at twelve o'clock M.
apl3 3t E. E. NORTON, Assignee.