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NEW THE COURTS.

**The United States Circuit Court.**

ture Merick Cook and J. S. McComb vs recover Stewart, et als.—The motion to dissolve the injunction was argued to the d yesterday, and resulted in a judgment denying the motion.

C. G. Johnson vs. Henry Fassman, et als.—The injunction issued in this chancery suit is made perpetual, and complainant recovers $5000 damages.

W. G. Crane and W. R. White were appointed United States commissioners.

G. A. Lally vs. Marin, et als.—Submitted to the district judge.

Eliza D. Nathan vs. Daniel Hickey.—On appeal. This case was submitted.

James M. Barklay vs. Board of Levee Commissioners.—Default reinstated.

**Fourth District Court.**

State of Louisiana vs. W. H. Letchford & Co.—Theard, J. This suit is brought by the State of Louisiana to recover the amount of one-quarter of one per cent on the gross sales realized by the defendants by virtue of a tax imposed under the third section of act No. 55 of 1865, entitled "An act to increase the revenue of the State and raise means to pay the interest of the State debt."

The defendants refuse payment on the ground that the tax is illegal, unequal and not uniform, as required by article 124 of the constitution of 1864, and that the law imposing it is, therefore, unconstitutional.

I think the defendants are right.

The third section of the law of 1865 reads as follows: "There shall be assessed and collected the sum of one-quarter of one per cent on the annual gross sales or receipts of each and every person pursuing any trade, profession or occupation, whose annual receipts exceed the sum of $2000."

Now, by section one of the same act, a license is collected from every person pursuing any trade.

So that the uniformity required by article 124 of the constitution of 1864 does not exist; for it is obvious that after paying a license which is uniform, our merchants are called upon to pay a tax which makes a discrimination between them. Those whose gross sales do not exceed $2000 pay nothing; those whose receipts are larger are taxed. This distinction is clearly repugnant to the provisions of the constitution.

But the learned counsel for the State say that the tax is uniform, because all persons keeping goods for sale enjoy equally an exemption from the tax on the gross sales to the extent of $2000, and are equally taxed for any excess over that amount.

The reasoning is clearly erroneous. The distinction, on the contrary, is still more than one would at first suppose. For if A sells for $2000 he pays nothing; whereas, if B sells for $2001 he pays on the whole of that amount. It might be contended, with an appearance of reason, that the law would be valid if B was only taxed on $1, that is to say, above the $2000. Then the exemption of $2000 would have been uniform.

But it is not so, and even if it were the act would still be unconstitutional, because it imposes a license and a tax on some, and a license only on others, although engaged in the same trade or occupation.

For these reasons let there be judgment for the defendants.

**Fifth District Court.**

The city of New Orleans has entered suit in this court against Charles H. Waldo, district wharfinger, assigned to the First District thereof, and his securities, Edward Conery, M. D. Lagan and James Mackison. Petitioner alleges that while said Waldo was acting as wharfinger, between April 25, 1870, and June 10, 1871, he collected from sea-going and river steamers, and other vessels, not less than the sum of $160,092 15; that he has accounted for and paid over to petitioner the sum of $155,736 18, leaving in the hands of Waldo, unaccounted for and not paid over, moneys collected amounting to the sum of $4355 97—hence this action.

A similar suit has been instituted by the city against John G. Chadwick, wharfinger to the Fourth District thereof, and his securities, George Benson, F. W. Perkins and James B. Guthrie, for the sum of $1710 81 with interest. This amount was collected by Chadwick, as wharfinger, and is unaccounted for.

**Sixth District Court.**

Paul Lanning has sued Charles Case for damages alleged to be caused by the defendant having wrongfully, illegally, maliciously, etc., obtained a writ of arrest and caused the petitioner to be taken into custody by the Civil Sheriff of the parish of Orleans. T. C. McQuigg, having signed the bond for the defendant, Case, is sued in solido with him.

In the case of the Mississippi Valley Transportation Company vs. George A. Foedick & Co., a rule was taken to set aside a writ of sequestration obtained by the plaintiff against a barge and quantity of lumber, the court held that the only question was in relation to whether the plaintiff had a privilege on the property sequestered or not, and that the plaintiff having failed to register, had no privilege. The writ of sequestration was set aside.

**Baton Rouge Resolutions.**

At the meeting Saturday evening at Baton Rouge, to indorse the Cincinnati convention, the following preamble and resolutions were adopted, as reported by the committee on resolutions:

WHEREAS, Believing that we are on the eve of a political canvass of greater magnitude and importance than any that ever preceded it, and in which the issue of military rule and centralization or local self-government and constitutional liberty will be presented to the country; that the decision of these vital questions will be dependent upon the action of the Democratic party, and believing that it will be unable, single-handed and alone, to avert the dangers threatened on the one hand, or to secure the blessings guaranteed in the triumph of the other; therefore, be it

*Resolved*, That we think it would be unwise and inexpedient to have a national Democratic ticket in the field during this canvass, and are of the opinion that the platform adopted by the Cincinnati Liberal Republican Convention should be accepted, and its nominees supported, by all who are desirous of seeing a restored Union and harmonious people.

*Resolved*, That the overthrow of Radicalism in this State, the restoration of good government, and the election of honest and capable men to office, can, in our opinion, only be secured by our acting in harmony and accord with the great national reform movement inaugurated at Cincinnati; and to to this end we deem it advisable to put such a ticket in the field for State officers at the ensuing general election as will secure, in Louisiana, the support of all the elements opposed to Radicalism and centralization.

*Resolved*, That our delegates be directed to vote for instructing the delegates sent from this State to the National Democratic Convention to vote against making nominations for the offices of President and Vice President of the United States at the ensuing election.

*Resolved*, That this meeting deem it inexpedient to make nominations until after the adjournment of the national convention, but leave the decision of this question to the delegation.

*Resolved*, That a mass meeting of the Democracy of the parish of East Baton Rouge be called to meet at Pike's Theatre building on the second Saturday of July, 1872.

The following preamble and resolutions, indorsing the action of the delegates to the Democratic State Convention, were also adopted unanimously:

WHEREAS, The delegation accredited by the Democracy of the parish of East Baton Rouge to the State convention convened in the city of New Orleans, on the eighteenth of April last, have made a full and satisfactory report of their action in said convention to a mass meeting assembled in the city of Baton Rouge, this eleventh day of May, 1872; therefore, be it

*Resolved*, That the Democracy of the parish of East Baton Rouge heartily approve the wise, judicious and patriotic course taken by the delegation, in every particular.

*Resolved*, That the delegation have reflected honor and credit on their constituents by the leading part taken and the influence exerted by them in the deliberations of the convention.

*Resolved*, That, confiding in the wisdom and prudence of the said delegation, we again accredit them to represent the Democracy of this parish in the adjourned convention which meets in the city of New Orleans, on the third of June next, or in any other State convention that may assemble during the month of June, should they consider it demanded by the interests of our parish and State.

**Liberal Republicans in Council.**

At the meeting in the Senate Chamber Tuesday evening, to institute measures for a Liberal Republican State Convention, Hon. Thomas W. Conway, in a speech of some length, defined his position as being in accord with the movement, nationally, but not so as far as the State was concerned, contending that a union with the Democrats meant defeat of the Republican party.

He said he was one of the pioneers of the Liberal Republican party in this State, and he was in favor of supporting the national movement, but he had seen enough to convince him, and he was convinced, that if the movement succeeded in this State as a State ticket, that the Democratic party would get control of the government. He was not willing to abdicate yet. He did not want to see all that had been done by the national and State governments, by the Republican party, undone and overthrown. He said that he took this course after mature reflection, and said it in all kindness and with regret, he could not and would not go into the movement as a State affiliation. He must be counted out. He could not and would not act with Democrats and assist them to get control of the State government, directly or indirectly.

He then withdrew.

Governor Warmoth, in reply to Mr. Conway, said in substance:

Let us save the national and State governments together. [Cheers.] I, for one, desire that every man shall feel that he is a citizen, even though he may have been in the Confederate service, and that the government shall be such as to make him feel that he is a citizen and not an outlaw. I also want to see an economical as well as a just administration, and to do away with this army of relations and office-holders which, under the present system, devastates the country. I want to see no more enforcement of the Ku-Klux law in States where there are no Ku-Klux. I want to see no bayonets used in the interests of the President's relations to insult the officers of the State, and drag them from their positions in violation of all right, justice and law. I do not want to again see the Governor of the State, the Lieutenant Governor, members of the Senate, and twenty-two members of the House of Representatives arrested by United States marshals on the warrants of a United States Commissioner, procured by perjury and fraud, and dragged from their duties and confined in the Customhouse for an hour and a half, while a combination under the direction of the collector of the port and other federal officers can expel enough members so that they can overturn the government, whose only offense is that the Governor is suspected of being in opposition to the President's re-election. I want to see no federal cannon entrenched behind the granite walls of any United States government building to defy and insult the citizens representing their constituents in a convention wrongfully called there. But I do want to see the people, all the people, Democrats, Republicans, and all rise in their might, and sweep this system from power. [Applause, and cries of hear, hear.] So much for the general government. Now for the State: for I know and we know there is corruption and ignorance here also in power, and it must also be reformed. I want it to be so that no United States marshals backed by men of the State government shall go into the Legislature and plunge Nicolson pavement or other bills through. I do not want to see legislators hawked as if for sale in the public market place; but I do want an honest and intelligent Legislature, and a government that will execute its will; and, gentlemen, you can not secure this alone, with the Republican party united and alone, for it is distrusted by the people for acts which neither you nor I can ever justify or excuse. Neither do I think that it can be done by the Democratic party alone, for it has proved itself equally wanting in virtue and political morality; but, sirs, I do say and believe that the honest men of both parties can rally and unite in midway ground and be successful, and redeem the country, State and national. I am going into the movement because I do not want to see another such four years of government in this State and nation as I have witnessed in the last four years, and I believe that if it were to continue all honest men would be obliged to sell their property and leave the country. It is useless to say, as Conway has said, that we are alarmed because the Democrats may join with us. I tell you I am not at all thin skinned on that subject. I open wide my arms and welcome every man, whether he may be a Democrat or Republican, who wants to aid the movement. I do not care how bitter he may have been toward me or to my party if he is in favor of an honest government, capable, intelligent and honest men in office, a free government, an open field and a fair fight, I want him to join us, and if I can forgive my political enemies, I am sure most of you can yours. [Applause.] It is absurd to talk about a national ticket against Grant, and a State ticket for Grant, or act with or vote for anybody who does vote for Grant. He is the enemy of republican institutions. He has insulted the intelligence and patriotism of the people of this State. He has kept the most ignorant, selfish, venal and wicked set of men in office, and has treated with contempt the persistent demand of the country for their removal. His policy makes the South a miserable appendage, as Ireland to his government, and from under his iron heel we will never rise until his enforcement acts, Ku-Klux laws, military and customhouse convention packers are overwhelmed, and the people bid to be free once more. [Applause.]

**Rights of Pedestrians.**

Whether the same laws exist as to the rights of pedestrians in New Orleans as in Boston, we do not know, but it is certain that they ought to. The Boston *Transcript* reports the following:

This legal axiom, which seems to have become somewhat obsolete of late, was reaffirmed in the Municipal Court this morning. A man named John Burke was complained of for violating the city ordinance, which requires that teams shall not be nearer than within ten feet of each other at street crossings.

Judge Churchill said that this ordinance was too often violated without any complaint being made; that it was the duty of drivers of vehicles to exercise the utmost care at street crossings. The law had already decided that the foot-passenger had the right of way, yet so little attention was paid to it that a person was in danger of life and limb at those crossings where no officer was stationed, the drivers crowding their teams together with the utmost indifference as to the fate of persons on foot, who were left to get across as best they could, or run the risk of broken limbs if they were not active enough to keep out of the way. Burke was fined $10 and costs, and appealing was held in $100 for trial in the Superior Criminal Court.

A man named Springer, in Terre Haute, married a couple one day; sold them all their furniture the next; in a short time afterward attended the wife medically; attended her funeral as an undertaker; bought the furniture, and the following Sabbath preached her funeral sermon; and in a short time married the former husband to another lady, and again sold them the furniture which he sold at the time of the first marriage.

Two or three black silk costumes are considered as an indispensable part of a bride's trousseau.

The following dialogue occurred recently in one of the public schools in Baltimore: Teacher to scholar—"What gender is mouse?" Scholar—"Feminine." Teacher—"Please to give the masculine gender." Scholar—"Rats!"

The richest sugar planter in Cuba is cloyed with an income of four millions a year.

LAWS OF THE STATE OF LOUISIANA

PUBLISHED BY AUTHORITY.

No. 57.

**AN ACT**

To allow William Schaffer to change his name to William Schwan, and authorizing Valentine Schwan, of St. Mary parish, to adopt him as his son and heir.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That William Schaffer, of St. Mary parish, is hereby authorized to change his name to William Schwan, and Valentine Schwan, of St. Mary parish, shall have power to invest him with all the rights and privileges of a son and heir guaranteed and established by the laws of this State.

SEC. 2. Be it further enacted, etc., That this act shall take effect from and after its passage, all laws and parts of laws to the contrary notwithstanding.

(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. 61.

**AN ACT**

To incorporate the town of Evergreen, in the parish of Avoyelles, defining the boundaries thereof, and for other purposes.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That all that portion or district known as Evergreen, in the parish of Avoyelles, contained within the following limits: beginning at a point in the centre of Hill street, opposite the residence known as B. B. Hudson's, and from this given point to include and comprise one mile square, be and the same is hereby created a body corporate and politic in fact and law by the name and style of the town of Evergreen, and by the same name shall have perpetual succession, shall be capable of suing and being sued, and of prosecuting and defending in all courts all actions and matters whatever; may purchase and receive by donation and hold property of all kinds within and without the limits of the town; also may have and use a common seal.

SEC. 2. Be it further enacted, etc., That the Governor of the State of Louisiana shall immediately after the passage of this act appoint a mayor and five councilmen in and for the said town of Evergreen, whose term of office shall be for the period of one year, dating from the first Monday of April, A. D. 1872, or until their successors are elected and qualified; and every year thereafter there shall be an election for the said officers by the qualified voters of the town of Evergreen at large.

SEC 3. Be it further enacted, etc., That the mayor and five councilmen who shall be elected or appointed, as the case may be, shall pass all laws or ordinances for said town, subject to the approval or veto of the mayor; but such veto shall not negative any law or ordinance which may be passed by four of the councilmen over said veto; that the said councilmen shall have power to pass all by-laws and ordinances to regulate, prevent and remove nuisances; to prevent the introduction of contagious diseases within said town by regulating the approach of boats having sick on board and the landing of the sick or articles calculated to produce disease; to establish night watches and patrols and to erect lamps, and generally to pass any by-laws and ordinances, in writing, not inconsistent with the constitution and laws of the United States and of this State as they may deem proper in relation to public markets, streets, highways, alleys and sidewalks, and to disorderly conduct and nuisances generally, or anything whatever that may relate to good government of said town; to impose such fines and penalties for a breach of their by-laws and their ordinances as they may think proper, not to exceed the sum of one hundred dollars for a single offense, recoverable before any court of competent jurisdiction; to cause all vagrants, idle or disorderly persons, all persons of evil life or ill-fame and all such as have no visible means of support to give security for their good behavior for a reasonable time; and in case of their inability or refusal to give security, to cause them to work on the streets for a limited time, not exceeding four calendar months, unless such security sooner be given; to regulate weights and measures; and to make such ordinances as they may deem necessary for the good government and municipal regulation of the said town.

SEC. 4. Be it further enacted, etc., That the mayor and council shall have power of levying an ad valorem tax upon all lands, houses, stores and movable property within the limits of said corporation; provided, the said tax shall not exceed at any time one dollar on the hundred; to tax billiard tables, taverns, mercantile houses, apothecary shops, groceries, coffeehouses and shops retailing spirituous liquors, drays, carts, trades and professions, fruit stands, oyster saloons, restaurants, eating houses, livery stables, bowling alleys, peddlers and hawkers, lumber yards, coal yards, butchers and contractors, shows, menageries, museums and theatres. At least one-half of said taxes shall be appropriated exclusively to the benefit and improvement of the streets and sidewalks of said town of Evergreen.

SEC. 5. Be it further enacted, etc., That the mayor shall, within ten days after his election or appointment, as the case may be, appoint, with the advice and consent of the councilmen, suitable persons to fill the offices of secretary, treasurer, assessor, collector and marshal of said corporation, who shall hold their offices during the pleasure of the mayor, and the mayor shall fill any vacancy in said offices within ten days after it occurs, in the same manner as above provided, and any two or more of said offices may be consolidated, except the treasurer and collector, which shall not be conferred on the same person.

SEC. 6. Be it further enacted, etc., That the mayor and council shall hold their offices for one year, and until their successors are duly elected or appointed, as the case may be, and qualified, and that before entering upon the discharge of the duties of their offices, they shall take the oath prescribed by article one hundred of the constitution of this State, which oath shall be filed in the office of Secretary of State.

SEC. 7. Be it further enacted, etc., That the treasurer, collector and marshal, before they enter upon the discharge of their duties, shall give a bond and such security for the faithful performance of their duties, as the mayor and councilmen may deem sufficient, and the said collector shall, within such time as shall be provided for by the ordinances and by-laws of the corporation, after the receipt of his warrant for collecting any tax which may have been levied and ordered to be collected, collect the same and pay it into the hands of the treasurer; and for that purpose he shall have power and means to enforce the payment of corporation taxes, fines and penalties imposed by the mayor and councilmen, whether on residents or non-residents, as are given to State tax collectors by the laws of this State to enforce the payment of State taxes, fines and penalties.

SEC. 8. Be it further enacted, etc., That it shall be the duty of the treasurer of said town to receive and receipt for all moneys paid over to him by the collector; to keep an account of all receipts and expenditures in a well bound book, and to submit the same to the mayor and councilmen when required, and no money shall be paid out by him except upon the warrant of the mayor.

SEC. 9. Be it further enacted, etc., That it shall be the duty of the secretary to record, in a well bound book, to be kept by him for that purpose, all the proceedings, by-laws, ordinances, etc., enacted by the mayor and councilmen, and to cause the same to be promulgated, by posting them up in two or more public places in said town, or by publishing in any newspaper published in said town.

SEC. 10. Be it further enacted, etc., That it shall be the duty of the marshal to attend the meetings of the mayor and councilmen, and do and perform all such duties as may be required of him by the mayor and councilmen, and all other duties imposed by law upon constables of this State, for which he shall receive the same fees and emoluments as are allowed by law to them; he shall be ex officio collector.

SEC. 11. Be it further enacted, etc., That the treasurer, secretary, assessor and marshal, before entering upon the duties of their respective offices, shall take the same oath as is prescribed in the section of this act for the mayor and councilmen.

SEC. 12. Be it further enacted, etc., That from and after the passage of this act, the powers of the police jury of the parish of Avoyelles shall cease and determine within said town of Evergreen, and the mayor and council shall possess all the powers within said corporation which have been heretofore exercised by the police jury, and the inhabitants and property within the corporate limits of said town of Evergreen shall be exempt from payment of all parish taxes.

SEC. 13. Be it further enacted, etc., That it shall be the duty of the assessor to assess the property, etc., on which said mayor and council are authorized to impose taxes, and make out a list of immovable, landed and other property in said town subject to said tax, together with the amount of tax assessed thereon, pursuant to the ordinances of said town, and the said assessor shall exercise the same powers as by law are vested in the assessors of State taxes.

SEC. 14. Be it further enacted, etc., That when the owner or owners of any landed or immovable property in said town shall fail to pay any taxes assessed thereon, due to said town, the mayor and council shall have a special privilege for the amount of said tax, with eight per cent per annum interest thereon, which privilege shall take rank in preference to any other mortgage, privilege or judgment except rights existing in favor of the State; provided that an account of the same, duly certified by the mayor, be recorded in the office of the recorder of mortgages of the parish of Avoyelles, whose duty it is hereby made to record the same.

SEC. 15. Be it further enacted, etc., That the mayor and council shall furthermore have power to prevent the stoppage or obstruction of the streets, roads and other public places of the town, and to adopt and to carry into effect such regulations for that purpose, and for the removal of all buildings, obstructions and nuisances of whatever nature, and for the organization of police, as may not be inconsistent with the laws of this State and of the United States, and also to impose such fines and penalties for the breach of said regulations as they may think proper; provided the said fine shall not exceed one hundred dollars, or imprisonment for each and every contravention.

SEC. 16. Be it further enacted, etc., That the mayor of the town of Evergreen shall be ex officio justice of the peace within the limits of said town, and as such shall have power to suppress all routs, riots, unlawful assemblies, affrays and tumults, all breaches of the peace committed within the limits of said town; to that end he shall appoint from time to time such a number of policemen as he may think proper, and the policemen so appointed shall be subject to his control in the discharge of their duties; he shall have power to hear charges against offenders, to issue warrants and summonses, to examine the informant, accused and witnesses, in the same manner as a committing magistrate may do; to grant bail for appearance, to commit for trial, to bind over to keep the peace, and generally to do all acts for the preservation of the peace in said town which a committing magistrate can or may do; he shall try and punish all offenders against the town of Evergreen according to the laws and ordinances of said town, and for that purpose he shall hold his court, at least once in each week, or oftener, if necessary, and for all such services he shall be entitled to charge and receive the same fees as are allowed by law to justices of the peace, and he shall receive such salary not less than one hundred or more than one thousand dollars annually, which salary shall be fixed by the council of said town; that the said Mayor shall preside over the meetings of the council, but shall have a casting vote only.

SEC. 17. Be it further enacted, etc., That all costs in criminal cases originating within the limits of said town, due to any justice of the peace, shall be paid out of the treasury of said town; provided, the criminal be not able to pay the same out of his or their proper goods or chattels.

SEC. 18. Be it further enacted, etc., That in all cases where the mayor of the town of Evergreen shall, in accordance with the laws and ordinances of said town, impose any fine or penalty or forfeiture upon any person for the breach thereof, and such person shall not comply with and perform the judgments imposing penalty and forfeiture, he shall be committed to the town prison until discharged by law, not to exceed the term of thirty days for any one offense, the time to be determined by the mayor of said town trying the offense; provided, that any one against whom said penalty of imprisonment may be imposed shall be entitled, if he or she requests it, to labor for the benefit of said town, at such labor as may be selected by the mayor or street commissioner, or the officer performing his duties, under the direction of the mayor, for a time not exceeding the term of imprisonment adjudged.

SEC. 19. Be it further enacted, etc., That the mayor and council shall create such officers, not provided for in this act, as may be necessary for the good government of said town.

SEC. 20. Be it further enacted, etc., That this act shall take effect and be in force 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. 62.

**AN ACT**

To incorporate the Laborers' Protective Benevolent and Mutual Aid 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 Alfred Jones, J. W. Edwards, Samuel Carter, Foster Chase, John Torregano, P. Carriere, Alfred Mitchel, Eugene Duplessis, J. M. Brown, Eugene Clairville, A. Smith, W. H. Green, and all others who may from time to time associate themselves with them, be and the same are hereby created a body corporate under the name and title of the Laborers' Protective Benevolent and Mutual Aid Association of New Orleans, Louisiana, to be located in the city of New Orleans, and shall, under this title, enjoy the right of perpetual succession, and be, as such, capable to sue and be sued, to acquire and possess real estate and personal property by purchase or donation, *inter vivos* or *mortis causa*, to acquire and possess, and also to dispose of all real and personal property obtained by any legal title and acts, to grant and receive contracts, to make and adopt such constitution and by-laws, not inconsistent with the constitution of this State or of the United States, as they may think proper, and to alter and amend and modify the same at pleasure, to use a common seal, and change the same.

SEC. 2. Be it further enacted, etc., That the funds of the association shall be employed in the promotion and protection of its members, education of its members, to provide for and nurse their sick, the burial of their dead, to the relief of the widows and orphans of its members, and for all things necessary and legitimate to the carrying out of their humane and benevolent purpose.

SEC. 3. Be it further enacted, etc., That the officers of this association shall consist of one president, one vice president, secretary, assistant secretary, treasurer, counselor and sergeant-at-arms, who shall be chosen annually by ballot by the majority of the members present at said annual meeting.

SEC. 4. Be it further enacted, etc., That all the powers of the association shall be vested in a board of administrators, to be composed of the officers of the association, and the president thereof shall have the right to sue and be sued in behalf of the association. Said association shall have the right to establish and organize branch bodies under the above title, provided said branches shall strictly conform with the laws of this State and of this act.

SEC. 5. 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. 63.

**AN ACT**

To incorporate the town of Waterproof, in the parish of Tensas.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the inhabitants of the town of Waterproof, as hereinafter defined, be and they are hereby made a body corporate and politic by the name of Waterproof, and as such can sue and be sued, plead and be impleaded, and shall possess of right a common seal, and shall have power to amend, alter or change the same at their pleasure.

SEC. 2. Be it further enacted, etc., That the limits of said town shall be as follows: beginning on the northern boundary in centre of levee, the same being on the section line dividing the lands of the estate of McAlister and the Eben Miller tract; thence in a westerly direction 20.25 chains to a stake; thence with a ditch in a southern direction 28.22 chains to the southern margin of Texas road; thence in an easterly direction with said Texas road in southern margin 41.16 chains; thence south on a line parallel with the Mississippi river (one hundred feet from said river) 15 chains to old levee; thence with old levee 41 chains; thence directly east 5 chains to river; thence up the Mississippi river to where the first mentioned sectional line strikes said river; thence along said line 15.72 chains to the point of beginning. The said described land is situated in townships 9 and 10, range 11, district of land north of Red river.

SEC. 3. Be it further enacted, etc., That the municipal government of said town of Waterproof shall consist of a mayor, who shall be ex officio justice of the peace of the town of Waterproof, and three councilmen, any two of whom, with the mayor, shall constitute a quorum for the transaction of business. No person shall be eligible for the office of mayor or councilman unless he be a qualified elector, and reside within the limits of said corporation. The said mayor and councilmen shall be elected by the qualified electors of the town of Waterproof, and hold their offices for two years.

SEC. 4. Be it further enacted, etc., That the first election for mayor and councilmen shall be held at the town of Waterproof, on the first Monday of June, one thousand eight hundred and seventy-two; then all the legal voters within the limits of said corporation shall meet at some place as may be designated by the magistrate presiding in said town, and shall then and there proceed to elect by ballot a mayor and three councilmen, who shall hold their offices for two years, or until their successors be elected and qualified. The said elections shall be held after ten days' notice by public advertisement, and it shall be presided over by any acting magistrate of the parish of Tensas, and at all subsequent elections the said mayor and council, or a majority of them, shall preside, after ten days' notice of said election by public advertisement.

SEC. 5. Be it further enacted, etc., That the said mayor and councilmen shall have the following powers, to wit: First—To lay a tax on all taxable property within the corporate limits, not to exceed the parish tax upon the same property. Second—To impose fines for all breaches of this law, or of the ordinances passed by said board, not to exceed fifty dollars, and to sue for and collect the same for the use of said town. Third—To remove all nuisances, to impose taxes on the sale of spirituous liquors by retail, on billiard tables, and any species of plays or games not prohibited by law; provided, said tax shall not exceed one hundred dollars each. Fourth—To appoint a treasurer, who shall be collector of taxes, a secretary, and such other officers as may be necessary for the administration of said town, and to require from them bond and security for the faithful performance of their duty. They shall also have the power to suppress riots or unlawful assemblages, and all breaches of the peace, to make arrests, and impose fines in the same way as justices of the peace may or can do. They shall make by-laws for the government of said town, and have power to repeal or modify the same.

SEC. 6. Be it further enacted, etc., That the mayor, councilmen, and other officers of said corporation, may receive such compensation for their services as may be determined by the board.

SEC. 7. 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. 64.

**AN ACT**

Entitled an act to incorporate the town of Harrisonburg, in the parish of Catahoula, and fixing the boundaries of the same.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the inhabitants of the town of Harrisonburg, in the parish of Catahoula, are hereby created and made a body corporate with perpetual succession, under the name and style of Harrisonburg, and by that name they and their successors shall be known in law, and be capable of suing and being sued, plead and be impleaded, defend and be defended in all courts and places whatsoever; also to hold, purchase, possess, enjoy and retain to them and their successors all and every kind of property whatsoever; provided, the same shall be for municipal purposes, and they may have and use a common seal.

SEC. 2. Be it further enacted, etc., That the corporate limits shall be as follows: Beginning at the mouth of Seargent's bayou, on the Ouachita river, thence up said bayou to the dividing ridge; thence along said ridge to the head of Harrison's Spring branch; thence on a direct line to the north corner of the Turnley or Brooks property; thence along the north side of said property to the northeast corner; thence on a direct line to the southwest corner of the Spencer property; thence along the line of said property to the Ouachita river; thence up said river to place of beginning.

SEC. 3. Be it further enacted, etc., That on the first Monday in April, in each and every year, between the usual hours of holding elections, the qualified voters residing within the said corporate limits shall elect a mayor and three councilmen to administer the affairs of the said corporation for the ensuing year, and until their successors are elected and qualified; and it is hereby made the duty of the sheriff of the parish to give at least ten days' notice, by having the same printed in the parish paper, if there be one, and if not, to be posted up at the courthouse door, and to appoint three commissioners, qualified voters of said town, to hold such election; and the said commissioners shall, within twenty-four hours after said election, post over their signatures at the courthouse door in said town the names of the persons who have been duly elected mayor and councilmen of said town.

SEC. 4. Be it further enacted, etc., That for all elections after the first, the mayor and councilmen of said town shall, previous to any election for members of their body, appoint three persons, qualified voters, residents within said town, as commissioners, to hold said elections; and said mayor and councilmen shall fix the place and manner of each annual election; and for the purpose of filling vacancies in their body, they shall fix the time, place and manner of holding the election, and in all cases ten days' notice shall be given before holding any election; it shall be the duty of the commissioners to preside at the same, and to certify in writing over their own signatures the result thereof, and within twenty-four hours after closing the polls to file such certificate with the clerk of the mayor and councilmen, who shall forthwith notify the persons so elected.

SEC. 5. Be it further enacted, etc., That before entering upon the duties of their offices, the mayor and councilmen shall take the constitutional oath of office; and the said mayor shall preside over all their meetings, and they are hereby empowered to ordain and establish all such ordinances, by-laws, rules and regulations, and to appoint all such officers as they may deem expedient for the government of said town, not inconsistent with the constitution of the United States, and of this State; and they shall have power to levy and collect a tax for the use of said corporation upon all taxable property within said corporation, not to exceed in amount one-half the State and parish tax upon said property. They shall have power to prohibit houses of ill-fame, and disorderly houses; to remove nuisances; to tax all shows, plays, gaming tables, groggeries and liquor dealers; they shall have power to impose fines for breaches of their ordinances, rules and regulations, not to exceed fifty dollars, and imprisonment not to exceed thirty days, either or both as they may deem just; and in case of the temporary absence of the mayor, the councilmen shall elect a president pro tempore from among themselves, to act in his place, and in all cases, the mayor, or in his absence the president pro tempore and two councilmen shall constitute a quorum to do business; and the mayor and councilmen shall appoint a clerk whose duty it shall be to keep a faithful record of the proceedings of their meetings, and to make public their ordinances by advertising the same in the parish paper, if there be one; if not, to post copies in two public places within said corporation limits; and no person shall be a mayor or councilman unless he be a qualified voter within said corporation.

SEC. 6. Be it further enacted, etc., That the mayor shall have power, and it is hereby made his duty, to suppress all riots, rows and unlawful assemblies, affrays and tumults, and he shall have power to cause to be arrested, and brought before him for trial, under regulations of the mayor and councilmen, all offenders against the rules, ordinances and regulations of said corporation, the mayor shall be ex officio justice of the peace, with jurisdiction within said corporate limits, and shall be commissioned by the Governor accordingly.

SEC. 7. Be it further enacted, etc., That all persons living within said corporate limits be exempt from all road tax, except such as may be imposed by the mayor and councilmen of said corporation.

SEC. 8. Be it further enacted, etc., That said corporation shall own and control all ferries within said corporate limits, and shall have power to lease the same to the highest bidder from time to time, and for a length of time not to exceed two years.

SEC. 9. Be it further enacted, etc., That the State tax collector shall be ex officio corporation tax collector for said corporation, and shall receive the same percentage for collecting said tax that he does for collecting the parish tax.

SEC. 10. Be it further enacted, etc., That the mayor of said town shall receive as compensation for his services the same fees as are allowed by law to any justice of the peace for similar services, and for all other services rendered by him he shall receive such compensation as the board of councilmen may allow; and the constable for said town shall receive the same fees as the sheriff for similar services. The salaries of all other officers shall be fixed by the mayor and councilmen.

SEC. 11. Be it further enacted, etc., That all laws or parts of laws in conflict with this act are hereby repealed, and 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. 65.

**AN ACT**

To repeal section seven of an act entitled "an act to renew the corporation of the town of Farmerville, and to provide for the government of the same."

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That section seven of an act entitled "an act to renew the corporation of the town of Farmerville, in the parish of Union; to provide for the government of the same, and to repeal all laws heretofore existing on the same subject matter, approved March sixteenth, eighteen hundred and seventy," which reads as follows:

Be it further enacted, etc., That one-half of the taxes assessed by the parish on the property within the limits of the said corporation, and one-half of the licenses assessed by the parish within said corporation be paid over to the treasurer of said corporation for the use of the same; provided, that these taxes, together with such other taxes, levied under the provisions of this act, do not exceed one thousand dollars be and the same is hereby repealed.

(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. 69.

**AN ACT**

To incorporate the Citizens' Savings Bank.

Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the following persons, B. Da Silva, B. L. Brown, N. P. Rice, F. J. Kunholtz, G. H. Fayerweather, William Hire and M. Lara, are hereby created a body corporate under the name and title of the Citizens' Savings Bank, with powers and privileges of doing a general banking business, under and pursuant to the general laws now in force, and also with the rights and powers as set forth in the following articles:

ARTICLE I.

The domicile of this corporation shall be the city of New Orleans, and said corporation shall exist for a term of twenty-five years from the date of the passage of this act.

ARTICLE II.

This corporation is hereby authorized and empowered to receive on deposit from all persons money in all sums from ten cents and upwards, and to pay out the same by check or otherwise, and for which interest shall be paid in accordance with this act and the by-laws of this corporation; also, to receive for safe keeping valuables of all kinds, and to rent safes for the purpose of keeping valuables.

Deposits shall draw interest at the rate of six per cent per annum, and the interest shall be placed to the credit of the depositors on the first of July and January of each year. A higher rate of interest may be paid by special agreement, and all deposits shall be paid on demand.

ARTICLE III.

For the security of the depositors in this bank, all money therein deposited shall be invested only in first mortgage on improved property in the city of New Orleans, in stocks and bonds of corporations of the State of Louisiana, the market value of which is above par, or upon pledge of such stocks and bonds, or on pledge of United States bonds, bullion, silver plate and diamonds; but no loan shall be made for a greater length of time than one year, or upon property that is not worth one-third more than the amount loaned thereon, and at a rate of interest not exceeding four per cent a month. Other funds of the bank may be loaned in the same way and at the same rate of interest.

ARTICLE IV.

To facilitate the loaning of money, as specified in article three, full authority is hereby given to execute and issue certificates of pledge upon all kinds of movable property, and to do and perform every act and thing pertaining to the loaning of money upon the security of pledge.

ARTICLE V.

The capital stock shall be one hundred thousand dollars, divided into one thousand shares of one hundred dollars each, and the same may be increased to two hundred thousand dollars by a vote of two-thirds of the stock.

ARTICLE VI.