New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

CITY COUNCIL--OFFICIAL

REGULAR MEETING--CONTINUED.

City Hall, New Orleans, }
Thursday, November 7, 1872. }

The Council was called to order after the recess at 12 M.

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

The Fiscal Agency Loan.

The Mayor requested permission to make some clerical and other changes in the message laid before the Council on Tuesday last, giving his reasons for signing the ordinance negotiating a loan of $1,250,000 with the Fiscal Agent.

The message, as amended, read as follows:

Mayoralty of New Orleans, }
November 5, 1872. }

To the City Council of New Orleans:

Administrators—The vote on the loan ordinance at the last meeting of the Council seemed to cast upon me the responsibility of deciding whether the ordinance should go into effect or not. In declaring the ordinance adopted I stated that I would give the reasons for my decision, whatever it might be, at the next meeting, and that I should decide as soon as possible to prevent the scandal which might arise from speculations in city paper during a delay. I was therefore much gratified, immediately after the adjournment, by a visit from the large number of very intelligent and respectable citizens who had attended the meeting of the Council and remonstrated against the passage of the ordinance. They wished me to veto the ordinance, and presented the following specific objections to it, enforcing their objections by argument at considerable length:

1. That it was improper for the Council to adopt so important a measure so near the end of its official term of office.
2. That the action was hasty.
3. That it was illegal.
4. That it converted non-interest bearing obligations into an interest paying debt.
5. That the terms are too onerous and that better could be obtained; that proposals ought to be advertised for so that all parties might have a fair chance at the loan.
6. That the securities given the bank are too much for the amount loaned.
7. That the bank has been purchasing a large amount of city obligations which are to be taken up under the ordinance, and that it will make a large sum of money by the operation.
8. That the ordinance allows the bank to decide to which city creditors the $125,000 cash per month shall be paid.
9. That it does great injustice to holders of bond certificates in postponing for a year the conversion of the certificates into bonds by allowing the bank a year to negotiate the sale of the bonds.
10. That the bank is a new institution, with a small capital, and that it does not afford guarantees for the safety of so large an amount of collateral securities as the city places in its hands.
11. That the proposed loan will be inadequate to place the city on a cash basis.

These are all the objections those gentlemen had to suggest. They embrace substantially all that I have heard urged or that I have been able to find, either against the adoption of the ordinance by the present Council or against the measure itself.

Before proceeding to discuss the merits or demerits of the measure, let us see what it is. It has been misrepresented to the public. Several of the gentlemen remonstrants admitted that they had not read the ordinance; and their remarks about it showed that they had been misinformed in regard to its provisions.

The bank stipulates in its proposition, which is the substance of the ordinance under consideration:

1. To continue the loan of $300,000 now due the bank by the city.
2. To pay and return to the city $450,000 of its obligations, which are now receivable for taxes.
3. To advance $500,000 in cash—$125,000 a month for each of the months of November, December, January and February, making a total loan of $1,250,000, upon the following terms and conditions:
1. One per cent commission on the amount paid out, and interest at eight per cent in gold on the amount loaned.
2. That they shall receive as security—

Certificates convertible into gold interest bonds	$823,000
Ten per cent bonds	625,000
Market mortgage notes	500,000
Total	$1,958,000

3. That the city shall issue no more appropriation certificates or other evidences of indebtedness till the fifteenth of March next, except such as are required by law, or for existing contracts, or for indebtedness already incurred.
4. To continue the bank as Fiscal Agent of the city till 1877.
5. To extend for six months the existing agency of the bank to negotiate the $10,000,000 loan, viz: till October, 1873.
6. To pledge and set apart the revenues of the markets to pay the interest and principal of the loan, as required by the city charter, when a debt is incurred exceeding $100,000.

The first objection of the remonstrants to this measure is one of propriety or taste, and as such it can not be discussed; but it may be examined as a question of official right or duty. If the measure be a bad one it should not be adopted at all; if a good one, and, in the judgment of the Council, promotive of the best interests of the city, and within the scope of their powers, they should adopt it, though at the last hour of their official existence. They should act in such a matter as though they were to have the care of the city's interests and to be responsible for its governmental welfare indefinitely. In this objection, and in the allegation of haste there are the covert implications that members of the Council derive some individual advantage by the transaction, and that their successors will be more competent than they are to judge of the necessity or expediency of the measure in question.

The ordinance was before the public and under consideration by the Council a week before it was adopted. This is not hasty legislation. If it be illegal, the bank runs the risk, not the city, and the bank may take care of that.

If the bank has purchased city obligations, as is alleged, and now holds them, it has thereby aided the city credit, and as the city must pay her obligations at par, whoever holds them, the city is not in any way injured. Nor can other holders be injured, unless the obligations they own are depreciated by this measure, and the effect has been manifestly the reverse. Who, then, is wronged?

It is further objected that the terms are too onerous, and that better could be obtained by advertising for proposals for a loan. Let us examine this.

The interest stipulated is lower by two per cent than current rates; and I doubt if the collateral securities given would sell now for more than the amount of the loan. It is safe to say that a loan could not be obtained from other parties upon the same terms. This bank is enabled to make the terms as easy as they are by other advantages which cost the city nothing, but which are valuable to the bank, viz.: the extension for six months of its term as negotiatior of the loan, and a specific contract to continue the bank as Fiscal Agent of the city for a period of five years. The fiscal agency exists by law of the Legislature; and it matters little to the city what bank holds it so long as the bank selected performs its functions and the city's funds are safe in its keeping. With regard to the other advantages conferred, it seems but just that the Louisiana Savings Bank should have an extension of time as negotiator of the loan, so as to reap the benefit of the city's credit, which it is believed will be greatly enhanced by its restoration to a cash basis by means of the loan now made by the bank itself to the city. Although it is asserted that a loan might be obtained upon better terms, no one except this bank has made any proposal, though everybody has known the extreme wants of the city for months past.

The next objection, that the ordinance did not specify who should decide to whom the monthly cash payments should be made; and the complaint of the injustice done the holders of convertible certificates by the postponement of the conversion a year, seemed well founded. I called upon the bank for a reply to these objections, and the answer of Mr. Van Norden, hereto appended, removes the objections and sets those matters right.

The objection that the bank is a new and weak bank would be important if it were borrowing from the city instead of lending to it. The bank is sufficiently strong, so far as the city is concerned, if it furnishes the money as it stipulates to do. There is no danger of embezzlement of the securities placed in its hands. It can not run away with the markets, and the other securities are not worth as much as the amount of money loaned on them.

The last objection to be considered, is that the loan is inadequate to place the city on a cash paying basis. I believe that it is adequate, if the ordinance be carried into full effect. It pays off $450,000 of the $800,000 of city obligations now outstanding, leaving only $350,000 receivable for taxes. I have no means of knowing how many police and school warrants there are out. They are estimated at $350,000. I believe they are less. Add for police and school warrants and certificates on existing contracts, etc., allowed to be issued by exception in the ordinance—$150,000 a month for four months, $600,000. Add also the amount out as before stated, $350,000, and we have a total of $1,300,000.

Taxes and licenses, in the meantime, produce at least $2,000,000. The $125,000 cash per month is running into debt so much; and it is amply sufficient to meet necessary expenses not otherwise provided for until next year's tax is due and collectible. Meantime, the outstanding appropriation certificates, police and school warrants not provided for by the loan, and those to be issued under the exception in the ordinance, will necessarily be raised nearly or quite to par.

I approve of the ordinance and have signed and promulgated it because it affords ways and means to put the city on a cash paying basis; because the interest paid for the money is low, the securities required reasonable and safe; because it saves to the city $40,000 to $50,000 a month, which it now loses by the depreciation of its paper obligations, and as much more in the aggregate to the teachers and other employes of the city; and because it injures no one who has a right to complain.

BENJ. F. FLANDERS, Mayor.

The letter of Mr. Van Norden, above referred to, was as follows:

Louisiana Savings Banks, }
No. 51 Camp street, }
New Orleans, October 29, 1872. }

Hon. B. F. Flanders:

Yours with question in regard to our understanding of the manner in which the cash to be advanced by this bank, under proposition made by us, is to be used, is received.

In reply I have to say that we intended the money to be paid by order of the Council for such purposes as the Council may decide, to the amount of $125,000 agreed on.

I would also add that, in regard to the exchange of the new bond for warrants already issued, the ordinance does not touch upon the matter. The bank, however, has ordered the bonds printed, and they are being pushed forward to completion, and will be issued in about sixty days or sooner.

W. VAN NORDEN,
President.

Mr. Cockrem offered the following resolution:

Resolved, That the message of the Mayor relative to the Fiscal Agency, presented at the meeting of the Council held November 5, 1872, with the corrections this day made, be and the same is hereby approved by the Council; and the understanding of the Louisiana Savings Bank, as declared in the letter of Mr. Van Norden, president, accompanying the message aforesaid, is hereby accepted and recognized as the true meaning of both parties relative to the subject matters referred to in such communication.

The yeas and nays were called on the passage of the resolution.

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

Nays—Shaw, Bonzano—2.

The resolution was declared adopted.

Mr. Cockrem moved to reconsider the vote by which the resolution had been adopted.

Mr. Remick moved to lay that resolution on the table.

The yeas and nays were called on the question of tabling the resolution.

Yeas—Walton, Remick, Delassize, Cockrem—4.

Nays—Lewis, Shaw—2.

Mr. Bonzano declined to vote.

The resolution to reconsider was tabled.

Tax Collection.

Mr. Bonzano called up the following ordinance:

An ordinance to provide for the more efficient collection of back city taxes.

Section 1. Be it ordained by the Council of the city of New Orleans, That the Council proceed to nominate and appoint two persons who shall, for the purposes of this ordinance, be termed collectors of city taxes.

Sec. 2. Be it further ordained, etc., That said collectors, with such persons as they may associate with or empower to act for them, shall be entitled to collect the delinquent taxes due in 1871 and previous years, and after the first of ———, 187-, those of the present.

Sec. 3. Be it further ordained, etc., That said collectors shall give bond to the city with good and solvent security in the sum of $20,000, to be approved and accepted by the City Council, conditioned for the faithful performance of duty on the part of said collectors, their associates and employes, and guaranteeing the city against any loss or damage from malfeasance, negligence, delinquency or breach of contract.

Sec. 4. Be it further ordained, etc., That a letter of authority shall be placed in the hands of said collectors by the Mayor, according to the terms and conditions of this ordinance, previous to which they shall enter into notarial contract with the city, based on the several particulars and conditions herein set forth.

Sec. 5. Be it further ordained, etc., That the said collectors shall make returns as often as may be required by the city (at least weekly), of all cash received, notices served, suits brought, and other proceedings, according to forms to be prescribed by the Administrators of Finance and Public Accounts.

Sec. 6. Be it further ordained, etc., That said collectors be authorized, by attorneys or otherwise, to bring and prosecute suits for taxes, they incurring at their own risk and cost all attorney's, clerk's and sheriff's costs, including printing, in case of execution; provided, they shall be entitled to reimbursement of clerk's and sheriff's costs, including printing, whenever the city receives payment of the same, whether the same be effected through the hands of said collectors or not.

Sec. 7. Be it further ordained, etc., That the emoluments of said collectors be fixed as follows:

Upon the taxes due in 1871 and 1872, five per cent upon the principal and interest realized, and five per cent of all costs recovered which the city may have paid previous to the passage of this ordinance. Upon all taxes due previous to 1871, ten per cent upon the principal and interest realized, and ten per cent upon costs previously disbursed, and recovered by said collector as aforesaid.

In settlement with the Finance Department they shall be only entitled to percentage upon net receipts, deducting sheriff's and clerk's costs, printing, etc., now due and unpaid by the city, or hereafter incurred or disbursed by them, and shall not charge percentage upon fees claimed by any ex-collector or attorney upon the same, but shall reduce the basis upon which they claim compensation by that amount; and shall make prompt payment and return of costs and expenses due the city, whether bearing percentage or not.

Sec. 8. Be it further ordained, etc., That this contract shall be and exist for and during the pleasure of the Council, to which is reserved the right, by a majority vote, at any time within six months, for cause, and thereafter irrespective of cause, to rescind and terminate the same; and upon such recission all bills, papers, books and documents necessary to further prosecution of suits and recovering taxes and costs shall be surrendered and turned over to the city according to the direction of the Council.

Sec. 9. Be it further ordained, etc., That the collectors shall be entitled to no percentage whatever for any moneys not actually collected by them or during the continuance of their acting as such; and after the recission of their contract they shall not, upon the pretext of previous efforts or services, be entitled to collect any percentage or recompense whatever, except for clerk's and sheriff's costs incurred by them as hereinbefore provided; and they shall await the pleasure of the city in collecting the same, and shall hold the city in no damages or responsibility for failure and delay in bringing suits to execution and realizing thereupon; it being the true intent and meaning of this ordinance that the city government be in future, as at present, left open and free in the transaction of its business for municipal purposes solely without the intervention of private interests.

Sec. 10. Be it further ordained, etc., That the said contractors shall agree in case the Legislature shall at any time remit, or allow in favor of taxpayers any portion of the charges and claims herein allowed to be incurred on behalf of the city by said collectors, the said collectors shall hold the city harmless, and as not incurring any responsibility on account thereof; it being the true intent and meaning hereof not to attempt to make any contract in derogation of any future legislative power, or to occasion any expense to the city in consequence of incurring costs that may be remitted as aforesaid.

Sec. 11. Be it further ordained, etc., That it will be the duty of the said collectors to collect all bills and accounts herein authorized to be placed in their hands, and the Administrator of Finance shall place in their hands all facilities at his command for so doing; and all collections and payments hereupon made at the office of the Department of Finance during the pendency, and before the recission of this contract, all be presumed to be collections made by them. They shall not be entitled to any claim of compensation upon portions of taxes and costs claimed to be due to previous officers or attorneys, or remitted heretofore by the Legislature, so long as any question may exist as to the responsibility of the city to pay or refund such costs or taxes to said previous officers and attorneys, or otherwise; say, unless previously determined, for three years from the time the said claim would otherwise arise.

Sec. 12. Be it further ordained, etc., That the said collectors will be entitled, at their own expense, to take copies of any and all registers in the Department of Public Accounts made under the provisions of act No. 73, approved April 26, 1872.

Sec. 13. Be it further ordained, etc., That the said collectors shall not be excused or exempted from taking all proper and practicable proceedings in the collection of any account, because of the fact that the net returns will not yield them a sufficient compensation under the provisions of this ordinance. On the contrary, they shall enforce all bills in which any return can be recovered by the city. And they may be specially required so to do in any or all cases by the Administrator of Finance; and whether or not so required by the Administrator of Finance, they shall be responsible to the city for any damages for failure, or delay to act, or negligence and want of promptness in any detail incumbent upon them for the interests of the city.

Sec. 14. Be it further ordained, etc., That the said collectors shall not be entitled or empowered to remit or deduct any portion of taxes, costs, interest or expenses of any kind due or claimed by or in behalf of the city. The right to do so in cases of error, or manifest injustice, or other cause justifying the same, is solely vested in the Mayor, Administrators of Finance and Assessments and the City Attorney, acting as a board for that purpose, a majority of whom concurring shall be necessary to any act. And it shall be further agreed that the collectors shall be entitled to no payment, reimbursement, percentage or compensation whatever for any sums remitted under the provisions of this ordinance, whether before or after the termination of the contract, it being the true intent and meaning hereof that this contract shall be terminable at any time, at the option of the contractors or of a majority of the City Council, within six months for cause, and thereafter without assigning any cause of dissatisfaction, both parties being governed in the meanwhile by the terms of their contract and of this ordinance.

Sec. 15. Be it further ordained, etc., That the license accounts of the year 1872 and previous years, and licenses for the balance of the year 1872, also all licenses for any future years, during the existence of the contract, after the last day of February in each year, shall in like manner be placed in the hands of said collectors, subject to all the directions, restrictions and conditions applicable in cases of other city taxes of the same year, according to this ordinance.

Sec. 16. Be it further ordained, etc., That the said contractors shall agree to cause all unrecorded judgments bearing against any real estate or owner of real property in the city, heretofore or hereafter existing during their contract, to be recorded in the mortgage office, at their own expense and cost, and shall be responsible in actual and exemplary damages for not so doing as soon as practicable; and they shall be entitled to reimbursement in the same form and on the same conditions as for sheriff's and clerk's costs incurred by them.

Sec. 17. Be it further ordained, etc., That the said collectors, except as to costs due them, shall be required to settle with taxpayers in such manner and form as shall be allowed at the time to payers at the city treasury, and shall only be entitled to their percentage from the city in kind. Upon all cash payments into the treasury the collectors shall be entitled, on the auditing of their accounts by the Administrator of Public Accounts, to a warrant for their fees (percentage), receivable in part payment or settlement. But of all certificates or warrants of whatsoever kind, receivable for taxes, they shall pay over the entire sum as received, and the city reserves the right of paying them in kind to the proper amount, or issuing them a monthly appropriation instead.

Mr. Bonzano moved to amend section two by inserting in the blanks "March, 1873," and to amend section eight by striking out the words "within six months for cause, and thereafter irrespective of cause."

The amendments were adopted.

Mr. Shaw moved that the reconsideration of the ordinance be indefinitely postponed.

Mr. Walton seconded the motion.

The yeas and nays were called on the motion to indefinitely postpone.

Yeas—Shaw, Walton—2.

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

Mr Lewis moved to postpone until next Tuesday, so as to have the ordinance printed with the amendments.

Mr. Shaw seconded the motion.

Yeas—Walton, Lewis, Delassize, Shaw—4.

Nays—Bonzano, Remick, Cockrem—3.

The motion to postpone until Tuesday next was carried.

Miscellaneous Business

By Mr. Shaw:

Resolved by the Council of the city of New Orleans, the Louisiana Savings Bank and Safe Deposit Company assenting thereto, That the Administrator of Public Accounts be authorized to issue appropriation certificates for weekly rolls, ending at any time during the present week.

Adopted.

By Mr. Walton:

Department of Finance, }
November 7, 1872. }

To the City Council of New Orleans:

The petition of J. Bolet, referred to me, asks the Council to refund to him $15 for a license paid in error.

The books of this office show that he paid for one license on the twenty-third of January, 1872, and for another one for the same business on the seventh of June, 1872. I recommend the adoption of the accompanying resolution:

Resolved, That the Administrator of Public Accounts be and he is hereby directed to issue to Mr. J. Bolet a certificate of appropriation for $15, for a licence as locksmith erroneously paid by him on the seventh of June, 1872.

JOHN S. WALTON, Administrator.

Adopted.

By Mr. Bonzano:

Resolved, That upon payment of costs of court, clerk's and sheriff's fees, the Administrator of Finance is authorized to cancel the judgment No. 5692 of the Eighth District Court in favor of the city of New Orleans against Neil Brothers & Co., for $400, amount of tax bill for 1870.

Adopted.

By Mr. Delassize:

Department of Waterworks and }
Public Buildings, November 7, 1872. }

To the City Council of New Orleans:

The specifications of the contract for the erection of the wing of Sorapuru market contains a clause giving to the party to whom the contract should be awarded the debris of the fallen wing. The clause referred to was inserted by the City Surveyor in ignorance of the fact that a sale of the broken iron columns had been consummated, and the wooden debris removed to the city's yard. It became necessary, therefore, after letting the contract, to make an arrangement with the contractor as to the material sold and removed; and on consulting with his honor the Mayor, it was agreed that an advance of $500 on the contract price for building the wing of the market would cover the loss sustained by the contractor. Said offer was made and accepted, and it remains for the Council to approve the arrangement by the passage of the accompanying resolution. I would state that the broken iron columns alone sold for $208 20.

L. T. DELASSIZE, Administrator.

Resolved, That the contract price for the erection of the wing of Sorapuru market be advanced to the extent of $500, for and in consideration of the relinquishment by the contractor of all right and title to the debris of the fallen wing.

Postponed until Saturday.

Mr. Delassize presented a report with regard to the repair of engine house No. 18, which was laid on the table subject to call.

Mr. Lewis called up an ordinance laid over September 3, amended to read as follows:

An ordinance regulating the removal of dead animals throughout the city.

Section 1. Be it ordained by the Council of New Orleans, That from and after the passage of this ordinance it shall be unlawful for the owner of any diseased horse, mule, cow or beef to turn such animal estray upon the public thoroughfares of the city. And any person offending against this section shall be fined not more than $25, and be imprisoned not more than ten days, at the discretion of the recorder within whose jurisdiction the offense has been committed.

Sec. 2. Be it further ordained, etc., That any diseased horse, mule, cow or beef, which may be turned estray and die upon any of the public thoroughfares of the city, or upon private property, above the boundary line of the United States Barracks, on the left bank of the river, it shall be the duty of the Metropolitan Police to notify the owner to cause the removal of the carcass at once to Stern's Fertilizing Factory, in which event no charge shall be made by the said company; and on the refusal or neglect of any such owner to make the removal, the police shall immediately notify Stern's Fertilizing Company, who are hereby authorized to remove all carcasses so reported, and who shall be allowed to collect the sum of $1 50 from the owner for each and every animal so removed; and, in the event of the owner not being known, the city to become responsible for the payment of the amount, upon vouchers sustained by the notifications sent from the Superintendent of the Metropolitan Police.

Sec. 3. Be it further ordained, etc., That Stern's Fertilizing Company hereby bind themselves to accept and carry out the terms of this ordinance, and furthermore, to cause the removal of the carcass of any animal reported to them, as provided for in the foregoing section, within three hours after being notified by the Superintendent of Metropolitan Police; and in default of their neglect to do so, shall forfeit all privileges conferred upon said company by this ordinance.

Sec. 4. Be it further ordained, etc., That the Mayor be and he is hereby authorized to enter into notarial contract for the period of two years with Stern's Fertilizing Company under the terms of this ordinance.

Mr. Bonzano moved that the ordinance be postponed.

Mr. Lewis seconded the motion.

The ordinance was postponed.

The Council took a further recess until Saturday, November 9, at noon.

H. CONQUEST CLARKE,
Secretary.

Wearing Flannel.

The majority of people are not aware of the beneficial effect of wearing flannel next to the body, both in cold and warm weather. It is not so uncomfortable in warm weather as prejudiced people believe. Frequent colds and constant hacking coughs have left me since adopting flannel garments. There is no need of great bulk about the waist, which condemns the wearing of flannel with those who prefer wasp waists to health, for in that case the flannel can be cut as a loosely fitting waist, always fastened at the back. There are scarcely any of the bad effects of sudden changes of weather felt by those who wear flannel garments, and mothers especially should endeavor to secure such for their little people in preference to all those showy outside trimmings which fashion commands.

Two wee lassies, aged five and six, were playing in a room with their dolls, and their mother, at her writing-desk, was listening to various imaginary entertainments, walks, rides, drives, visits, and parties, and at last they were taken to church. "Now, dear, will you sit in this pew?" said one. "And will you, dear, sit in this pew?" said the other. Whereupon the mother saw an opportunity of improving the occasion, and interposed with the remark, "We don't have pews, you know, in our church; the seats are free and open to all, because all are equal there." One of the little playmates immediately looked up and said: "Oh, yes, dear ma, but just now we're playing at very low church indeed!"

LAWS OF THE STATE OF LOUISIANA

PUBLISHED BY AUTHORITY.

AN ACT No. 88.

To incorporate the St. Paul Methodist Episcopal Church Association of Shreveport, Louisiana.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That Samuel Armstead, Peter Johnson, Abraham Mitchell, John Walker, William Harper, Hartwell Swanson and Moses Sterritt, be and the same are declared a body corporate and politic, under the name and style of the St. Paul Methodist Episcopal Church Association of Shreveport, Louisiana, where the company to be known as the St. Paul Methodist Episcopal Church Association will be domiciliated.

Sec. 2. Be it further enacted, etc., That said company shall be capable in law to purchase, receive, hold, lease, sell, and otherwise acquire or alienate real or personal estate; shall have a common seal, and may break or alter the same at will; and by said corporate name may sue and be sued; provided that the lands so held or acquired shall be held for the proper uses and benefit of said St. Paul Methodist Episcopal Church Association of Shreveport, Louisana.

Sec. 3. Be it further enacted, etc., That the affairs of said association shall be managed by the board of trustees, the aforesaid incorporators to constitute the board of trustees for the first year and until their successors are chosen, which shall be done annually on the first Monday in May, or as soon thereafter as practicable, by the members in good standing of said St. Paul Methodist Episcopal Church Association.

Sec. 4. Be it further enacted, etc., That the board of trustees be invested with power, as it is hereby made a part of its duty, to pass such by laws from time to time as may be necessary for the proper government of said association.

Sec. 5. 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 July 1, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

AN ACT No. 42.

Making Shrove Tuesday, or Mardi-Gras, a legal holiday.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the day known as Shrove Tuesday, or Mardi-Gras, be and is hereby declared a legal holiday throughout the State of Louisiana.

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 23, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy,
F. J. Herron,
Secretary of State.

AN ACT No. 83.

To locate the seat of justice of the parish of Livingston.

Whereas, Under act of the Legislature of eighteen hundred and seventy-one, an election was held to decide the location of the seat of justice for the parish of Livingston; and

Whereas, A majority voted for the removal of the courthouse from Springfield, and a plurality located the courthouse or seat of justice at Port Vincent; therefore

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the seat of justice for the parish of Livingston shall be located at Port Vincent, in the parish of Livingston.

Sec. 2. Be it further enacted, etc., That the president of the police jury of said parish shall appoint three commissioners to have the buildings necessary to carry out the provisions of this act erected, and that the police jury shall levy a tax, to be paid in currency, equal to pay one-half of the expense of said buildings, the other half to be paid for by subscription.

Sec. 3. Be it further enacted, etc., That it shall be the duty of the collector of parish taxes, for the parish of Livingston, to collect the tax levied under this law, and pay over the same to the parish treasurer of Livingston parish, who shall pay the same to the order of the commissioners of public buildings when said buildings are completed.

Sec. 4. Be it further enacted, etc., That it shall be the duty of the parish judge of the parish of Livingston, when he is notified that the buildings, courthouse, jail and offices of recorder, clerk and sheriff are completed, to examine the same, and if the houses built, and courthouse, jail and offices as aforesaid, then he shall order all the records of the parish of Livingston to be removed from Springfield to Port Vincent, and the present public buildings shall be sold at public auction, and the proceeds applied to pay for the removal of the public records to Port Vincent.

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 June 4, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

AN ACT No. 91.

For the relief of W. H. Vaughn.

Whereas, W. H. Vaughn, State tax collector of the parish of Morehouse, has overpaid the amount of taxes charged to him for the year 1866, to the amount of four hundred dollars, as shown per certificates of the Auditor herewith annexed; therefore,

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 four hundred dollars be and the same is hereby appropriated out of any moneys in the treasury, not otherwise appropriated, in payment thereof, and that this act go into 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 July 1, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

AN ACT No. 94.

To provide for the construction of a shell road in the parish of Jefferson by the police jury of the left bank of said parish, and for the payment thereof; for the keeping of the same in repair, and to authorize said police jury to levy a special tax for said purpose.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That it shall be the duty of the police jury of the left bank, parish of Jefferson, and it is hereby authorized and empowered to pass and adopt, within ten days from the passage of this act, the necessary ordinances and resolutions for the construction within one year from the adjudication of the contract, of a shell road extending along the Metairie ridge in said parish of Jefferson, from the New Orleans canal west as far as the Labarre road, and at the option of said police jury along the Labarre road to the river Mississippi; said road shall be in all respects a first-class shell road, and shall be built in accordance with the specifications to be furnished by the surveyor of the parish; and it shall be the duty of the police jury to cause the surveyor of said parish, or of some other, in case there be no such officer, to furnish the necessary plans, lines, grades, levels, curves, etc., and to take the general superintendence, in accordance with the specifications furnished, and the cost of this shall be assumed by the contractors.

Sec. 2. Be it further enacted, etc., That the cost of the construction of said shell road shall be borne in equal proportions, one-half each by the front proprietors bordering on said road, pro rata, and the said police jury of the left bank, parish of Jefferson, and the proportion of the front proprietors shall remain a lien and privilege superior to all other liens and privileges upon the property fronting on said road in favor of the contractors thereof, until fully paid, by recording the bills for the same, duly certified by the surveyor of said parish, in the office of the recorder of said parish.

Sec. 3. Be it further enacted, etc., That it shall be the duty of said police jury of the left bank, parish of Jefferson, within ten days from the passage of this act, to advertise for ten days in the official papers of the parishes of Jefferson and Orleans for proposals, to be sealed and directed to said police jury, and to be opened by them in open and public meeting of said police jury on a day to be named in said advertisement, when said police jury shall proceed to adjudicate the contract to build said road to the lowest bidder, and shall proceed, in such form as said police jury shall determine, to make a formal contract in accordance with the plans and specifications, and said lowest proposal, with said lowest bidder, and may require of such lowest bidder such security as said police jury may think proper for the faithful performance of the contract within such time as the said police jury and said contractors may agree, it being understood that this shall not exceed one year.

Sec. 4. Be it further enacted, etc., That from and after the completion of said shell road hereinbefore provided for, it shall be the duty of said police jury, during the month of December of each and every year, to appropriate a sufficient sum of money out of its treasury to keep said road in repair during the current year, which sum shall not be appropriated to any other purpose.

Sec. 5. Be it further enacted, etc., That upon the completion of said shell road, and said completion having been duly certified to, according to the provisions of this act, it shall be the duty of said police jury of the left bank, parish of Jefferson, to at once pay to the builders of said road, or otherwise settle with them, as both parties to the contract may agree, the proportion of the police jury being one-half the total cost thereof; and should there not be sufficient funds in the treasury, the police jury are hereby authorized to levy a special tax sufficient to pay the sum required upon all the taxable property in the left bank, parish of Jefferson, to be equally assessed according to the last assessment made before the levying of such special tax; and upon the collection of such special tax, which shall be immediately proceeded with, said police jury shall pay its proportion of the cost of the shell road herein provided for.

Sec. 6. Be it further enacted, etc., That all laws or parts of laws contrary to or inconsistent with the provisions of this act are hereby repealed.

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.
A true copy:
J. W. Fairfax,
Assistant Secretary of State.

Received in the office of Secretary of State August 6, 1872.

The foregoing act having been presented to the Governor of the State of Louisiana for his approval, and not having been returned by him to the house of the General Assembly in which it originated within the time prescribed by the constitution of the State of Louisiana, has become a law without his approval.

AN ACT No. 86.

To fix the terms of the district court in the Fourteenth Judicial District, designating certain weeks of said terms for the trial of civil cases, and certain weeks for the trial of criminal cases, and providing for the drawing and summoning of juries for said terms.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the terms of the district court in the Fourteenth Judicial District are hereby fixed, and shall commence as follows, to wit: For the parish of Ouachita, on the second Mondays of March and September; for the parish of Richland, on the third Mondays of April and October; for the parish of Morehouse, on the third Mondays of May and November.

Sec. 2. Be it further enacted, etc., That the first two weeks of each term shall be devoted exclusively to the transaction of the business on the civil docket of the court, to the business of the grand jury, and to the filing of criminal informations and the orders thereon; no other proceedings on the criminal docket of the court shall be had during the first two weeks.

Sec. 3. Be it further enacted, etc., That the remaining weeks of each term shall be devoted to the transaction and disposal of the criminal business of the court, and to the trial of civil jury cases. During said remaining weeks no proceeding shall be had in any civil case, unless an order for the trial of such case by a jury shall have been made previous to the third week; provided, that in all cases judgments may be signed, and motions for new trials and motions for appeals may be made and disposed of during said remaining weeks; and, provided further, that, by special permission of the court first obtained, together with consent of parties, proceedings may be had in any other case during said remaining weeks.

Sec. 4. Be it further enacted, etc., That, in the manner provided by law, two juries shall be drawn for each of said terms of court, to be designated as the "first jury" and the "second jury." The first jury shall be summoned to attend on the first day of the term. From the first jury the grand jury shall be selected and drawn in the manner provided by law. The remaining jurors of the first jury shall then be discharged till the third Monday of the term, when they shall again attend, and shall serve for the third week. The second jury shall be summoned to attend on the fourth Monday of the term, and shall serve for the fourth week, and as much longer as they may be needed. Any of the first jury who may be impanneled on the trial of a case shall be retained until the termination of said case. All objections or exceptions to the formation, construction, drawing, or summoning of said juries shall be filed on the first day of the term, and not afterward; and if the juries should be set aside a new first jury shall be immediately drawn and summoned for the second Monday, and a new second jury for the fourth Monday of the term, and the court shall proceed. Juries drawn for the first term of court under this act shall be legal, without regard to the time when drawn, if in other respects legal.

Sec. 5. Be it further enacted, etc., That all laws or parts of laws conflicting with this act are hereby repealed so far as they conflict, 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 June 14, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

AN ACT No. 82.

For the relief of W. Jasper Blackburn.

Whereas, On the night of the eighth of July, 1868, and of the fifth of November, of the same year, the printing office of the *Homer Iliad*, owned by W. Jasper Blackburn, was forcibly entered by a mob of disorderly and violent persons, and the presses and furniture broken to pieces and the type and other materials thrown into the streets; and

Whereas, It cost the said W. Jasper Blackburn a large amount of money to refit his office, in order to do the printing which he was under contract to do for the State and general government, and to restore his office to its former efficiency which was a clear damage to him in a large amount of money and inconvenience; therefore

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That to repair the damage inflicted on W. Jasper Blackburn, as set forth in the preamble to this act, there be and is hereby appropriated the sum of six thousand dollars out of any money in the treasury not otherwise appropriated, to the said W. Jasper Blackburn, to be paid to him on his own warrant on the Auditor of Public Accounts of this State.

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 May 29, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

AN ACT No. 92.

To amend and re-enact section two of an act entitled "An act to form a new parish to be called the parish of Red River," approved March 2, 1872.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That section second of said act, in lines nine, ten and eleven in said section as printed in the official volume of the acts of 1871, which read, after the words "Red river," in line nine, as follws: "Thence up Red river to outlet of James river, up James river to Delat's bayou, up Delat's bayou to Bayou Pierre," be and the same is hereby amended and re-enacted so as to read as follows: "Thence up Red river to the outlet of Bayou Lumbra, thence up Bayou Lumbra to Delat's bayou, up Delat's bayou to Bayou Pierre."

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 July 1, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. Herron,
Secretary of State.

AN ACT No. 95.

To incorporate the Shreveport Bridge Company, and to authorize the company to issue its bonds and to build a road from Red river to and across Red Chute to the hills, in Bossier parish, and to collect tolls thereon, 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 Frank M. Smith, A. H. Leonard, E. P. O'Key, Charles W. Keating, S. Peters, George W. Dillard, M. H. Crowell, M. A. Walsh, D. H. Smith, S. M. Thomas, and their successors and assigns, and such other persons as they may hereafter associate with themselves be and are hereby constituted a body corporate and politic, to act in their corporate capacity as one person, and are hereby authorized, in their corporate capacity, to do and perform all acts an individual can do, to purchase, lease, sell or exchange real or personal property, rights or credits, as an individual can do, and to sue and be sued, and to do all things an incorporation can do; that service of citation or other legal process shall be made on the president of the company, or, in the absence of the president, on the secretary thereof; that the domicile of this company is fixed in the city of Shreveport, in the parish of Caddo, in the State of Louisiana. This company shall have a seal, and may change or alter the same at pleasure.

Sec. 2. Be it further enacted, etc., That the name and style of this corporation shall be "The Shreveport Bridge Company," and the capital stock of this company shall be five hundred thousand dollars, to be divided into shares of one hundred dollars each, making five thousand shares. It shall be competent for the stockholders of this company to fix the amount of the capital stock from time to time, as in their judgment they may deem best, not to exceed one million dollars.

Sec. 3. Be it further enacted, etc., That this company shall have the exclusive right to build, equip and maintain a bridge across the Red river, to terminate on the east bank of Red river, opposite the city of Shreveport, for the purpose of passing vehicles of all kinds, animals, produce of all kinds, merchandise and foot passengers, and for all purposes a bridge may be used for; and no other bridge shall be built across said river within a distance of five miles in either direction for the period of thirty years, reserving the right to any railroad company to build bridges within said limits solely for railroad purposes, but in no way to be used for any of the purposes above stipulated, except as belonging to the actual business and operating of the railroad; and that same company shall have the right to charge such tolls thereon as may be fixed by the board of directors of said company, and shall have the right to police such bridge, so that no one or thing shall be allowed to pass over the same except in accordance to the regulations made by the directors.

Sec. 4. Be it further enacted, etc., That the affairs of the company shall be conducted by a board of directors, the first board of directors to consist of the incorporators named in the first section of this act; in the event of the death of any such incorporators the balance shall compose the board of directors until the end of the term; and in the event of any of such incorporators transferring their entire interest in this company during their term of service they shall cease to act as directors during the residues of the term, and their place shall be filled by the selection of some other stockholders by the other directors. This board of directors shall hold office for two years from the first Monday of July, 1872. Thereafter the board of directors of this company shall consist of five stockholders who hold at least twenty shares of stock, to be elected by the stockholders on the first Monday of July, 1874, and every two years thereafter; that no stockholder shall vote at any such election unless the stock on which he claims to vote has been owned by him at least three months before the election, as shown by the stock book of the company; that each stockholder shall have one vote for each share of stock he may own; that any stockholder may vote by proxy for directors, and that a majority of votes cast shall elect; that it shall be the duty of the directors to advertise the election for directors in at least one newspaper in the parish of the domicile of said company, for thirty days before the election, and to appoint three stockholders commissioners to hold the election; a failure to hold the election, as herein fixed, shall not operate a dissolution of this corporation, but the old board of directors shall hold over until the next regular election. A majority of the board directors shall constitute a quorum for all business. Any vacancy occurring in the board of directors (except in the first board) shall be filled by the remaining directors for that term; any director, after his election, disposing of his stock so as to hold less than twenty shares, shall from that time cease to be a director, and his place shall be filled as above.

Sec. 5. Be it further enacted, etc., That the first board of directors of said company shall organize on or before the first Monday of July, 1872, and all subsequent boards, within ten days after their election, by electing one of their members president, and electing a secretary. When it becomes necessary the board of directors may elect a treasurer and engineer, or any other officers they may designate. All such officers shall be removable by the board of directors, except the president. The board of directors shall have the right to fix the salary of the president, and the salary of