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, Louisiana.

SEC. 3. Be it further enacted, etc., That the affairs of said association shall be managed by the board of trustees, the above said 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.

No. 79.

AN ACT

For the relief of the heirs of the late J. H. Wisner, Sheriff of Ouachita parish, and for the relief of his deputy, Henry G. Dobson.

WHEREAS, His Excellency H. C. Warmoth, Governor of the State of Louisiana did, on the twenty-second day of July, eighteen hundred and sixty-nine, cause to be published his proclamation offering a reward of one thousand dollars for the arrest and conviction of one T. B. Beavers, charged with the crime of murder; and

Whereas, J. H. Wisner, sheriff of Ouachita parish, and his deputy, Henry G. Dobson, did arrest the said T. B. Beavers after incurring much trouble and expense; and

Whereas, The said Beavers, after an examination before the Hon. Robert Ray, parish judge of Ouachita parish, was committed to jail on the charge of murder; and

Whereas, The said jail was soon after broken open, the sheriff and one of the principal witnesses in the Beavers' case were murdered, and the said T. B. Beavers rescued from jail by a mob of unknown men; 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 one thousand dollars be and is hereby appropriated out of any money in the treasury, not otherwise appropriated, for the purpose of reimbursing and compensating the heirs and legal representatives of J. H. Wisner and his deputy, H. G. Dobson.

SEC. 2. 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 May 18, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. HERRON,
Secretary of State.

No. 83.

AN ACT

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.

No. 94.

AN ACT

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. FAIRPAX,
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.

No. 86.

AN ACT

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, 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.

No. 82.

AN ACT

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 20, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
P. J. HERRON,
Secretary of State.

No. 92.

AN ACT

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.

No. 95.

AN ACT

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. D. 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 or compensation of the other officers, and to require a bond, with good security, subject to the approval of the board, from the treasurer, and fix the amount thereof, and to pass all by-laws deemed necessary, not inconsistent with this act or contrary to law.

SEC. 6. Be it further enacted, etc., That stock certificates shall be provided, and when issued, shall be signed by the president of the board of directors and countersigned by the secretary and sealed with the seal of the company; and a transfer book shall be kept, and no transfer of stock shall be legal or binding on the company until the transfer is made on the books of the company, and such transfer shall be legal evidence of the ownership of the stock, so far as the company is concerned, in any court in this State; that a copy, certified to by the secretary of this company, under the seal of this company, of any resolution of the stockholders or directors, shall be evidence of stock or of any written proceeding kept by this company, and shall be taken as evidence in any court in this State.

SEC. 7. Be it further enacted, etc., That the board of directors of this company shall have the right to issue the bonds of this company for any amount not to exceed the whole amount of the capital stock, as fixed by this charter, and shall fix the aggregate amount of the bonds to be issued, the amount and denomination of each bond, the time of maturity thereof, the rate of interest they are to bear, whether coupon bonds or not, and every other requisite to constitute them legal and certain; and in order to secure the payment of such bonds, with the interest thereon, said directors shall have the right to mortgage all the property, both real and personal, including the bridge, which mortgage shall be recorded in the office of the recorder of mortgages for Caddo parish, and shall not be required to be reinscribed to keep it in force and effect; and said board of directors shall have the right to receive any donation or gratuity that may be given to said company, or any other aid thereto on any such terms as may be agreed on between them and other parties.

SEC. 8. Be it further enacted, etc., That to the same company are hereby granted the exclusive right and privilege to build, construct, establish and maintain a plank, shell or railroad from the terminus of said bridge on the western bank of Red river to and across the Red Chute in Bossier parish, and to the hills or high lands by such route as shall be deemed most advantageous by the directors of said company, and that the same company shall be allowed and are hereby empowered to charge and collect, for passing over said road, tolls at such rates as the directors shall prescribe; and the same right and privileges granted by this section shall be for the same term of years as has already been granted in this act, to wit: the term of thirty years.

SEC. 9. Be it further enacted, etc., That the property of the said bridge and road company shall be exempt from State and municipal taxation for the full period of its charter, and in consideration therefor the said company agrees to pay into the treasury of the Charity Hospital at Shreveport the sum of one hundred dollars, to be paid within fifteen days from January 1 in each year, for each and every year during its term of incorporation.

SEC. 10. Be it further enacted, etc., That this company shall have the right by its agents, surveyors, engineers and employes, to enter upon all lands and tenements through which it may conclude to make such road, and survey as hereinbefore provided, and lay out and construct the same. That when such road, way or route shall run through any lands belonging to the State of Louisiana, the said company shall have the right of way, and the land whereon the said company's road shall be constructed and for the distance of eighty rods on each side of said road, if such lands are the property of the State of Louisiana, shall be and are hereby granted to said company for their use and benefit to aid in the construction and maintenance of said road.

SEC. 11. Be it further enacted, etc., That any parish, city, town or incorporated village in this State, be and is hereby authorized to aid said company in the construction of its bridge and road, or either of them, by contributions, or by subscribing for its stock, or by purchasing its bonds, or by issuing the bonds or warrants of said parish, city or town in favor of said company; and that for the purposes of carrying out the provisions of this act, the police juries of the several parishes shall represent the same parishes respectively, and the mayor and council, or board of selectmen, or board of aldermen shall represent the said cities, towns or incorporated villages. And it shall be lawful at any time or times for any parish, city or town to aid in the construction of the aforesaid bridge or road, or either of them, by a voluntary contribution or gratuitous donation of real or personal property, money or other effects belonging to such parish, city or town; and any parish, city or incorporated town in the State is hereby authorized to issue five or ten years bonds, bearing interest at a rate not exceeding ten per cent per annum, with coupons attached, in favor of said bridge and road company, and such issue of bonds by any such parish, city or incorporated town, when signed by the proper officers of such parish, city or town, as hereinbefore specified, shall be good and lawful, and shall not require any other special act of the Legislature to permit the same to be made.

SEC. 12. Be it further enacted, etc., That the board of directors of said company shall have the right to sell or dispose of any of the capital stock of said company not already issued at the time to any person, company, corporation, or other party, on such terms as they may deem best, and to receive in payment therefor money, bonds of any incorporation, materials, or other thing, and at such prices or rates as they may deem to the interests of this company.

SEC. 13. 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 August 15, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
Y. A. WOODWARD,
Assistant Secretary of State.

No. 93.

AN ACT

To incorporate the city of Natchitoches, and 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 all that portion of land within the following boundaries, to wit: bounded on the east by Red river, including the left bank of said river; on the south by the lower line of the land belonging to Auguste Martin; on the north by a line beginning at Red river, and running due west across the highest point of Badin's Hill to Bayou Isles or Yaco; thence on the west by a line running due south until it intersects the southern line, shall be known and distinguished by the name of the city of Natchitoches.

SEC. 2. Be it further enacted, etc., That to provide for the government of the city of Natchitoches, there shall be elected on the first Monday in May of every year, by the qualified voters of said corporation from among themselves, one mayor and six councilmen, with the powers and duties hereinafter set forth.

SEC. 3. Be it further enacted, etc., That the election of the officers created by the second section of this act shall be held at the courthouse in said city, and be previously notified to the inhabitants by public advertisement at the door of the courthouse and two other public places in said city, which notice shall be given by the mayor of said city, ten days before holding the election; and said election shall commence at six o'clock A. M. and close at six o'clock P. M. of the same day, and the said election shall be conducted in all respects according to the laws of the State regulating elections, and the returns to be made and commissions issued according to the election laws of the State, which may be in force at such time.

SEC. 4. Be it further enacted, etc., That in case of a tie vote at said election, or in case of the death or resignation of any of the officers mentioned in the third section of this act the clerk of the district court or his deputy shall order an election in the manner set forth in the third section of this act, and a plurality of votes at all elections shall be sufficient

SEC. 5. Be it further enacted, etc., That on receiving their commissions of election the mayor and councilmen shall meet and organize themselves into a body to be known as the "mayor and council of Natchitoches," and shall proceed to elect one suitable person to be assessor and collector of the city taxes and licenses, and to elect a treasurer of the city of Natchitoches, who shall be ex officio secretary of the city council.

SEC. 6. Be it further enacted, etc., That the Mayor shall preside at all meetings of city council, shall call meetings of the council when he deems necessary, shall approve all laws, ordinances and resolutions of the city council, shall vote as other members of the council upon all questions, and shall be vested with the same powers as are now exercised by the recorders of the city of New Orleans. He shall be committing magistrate, with full power to examine and commit in all cases arising under the laws of the State, for all crimes, offenses and misdemeanors against the State in the same manner and to the same extent as justices of the peace now or hereafter may do. He is hereby authorized and empowered to examine, try and sentence persons for violation of the laws and ordinances of the corporation of the city of Natchitoches, and offenses against the same; and shall hold his court daily from nine o'clock A. M., until three o'clock P. M., or longer if necessary. All fines collected by said mayor's court under the provisions of this act, shall be paid into the treasury of the city of Natchitoches monthly.

SEC. 7. Be it further enacted, etc., That the mayor shall hold his office for the term of one year from the first Monday in May, eighteen hundred and seventy-two, or until his successor shall have been elected and duly qualified, and he shall be entitled to and receive an annual salary to be fixed by the city council, which shall be neither increased nor diminished during the term of office in which it shall be established.

SEC. 8. Be it further enacted, etc., That the mayor of the city of Natchitoches is hereby authorized to appoint one court officer, who shall be at all times subject to the orders of the mayor; and said court officer shall be empowered and authorized to serve warrants, summons, search warrants, attachments and mittimus issued by the mayor in offenses against the State and city incorporation, and shall receive the same fees for such services as are by law allowed to constables, to be paid by the city of Natchitoches.

SEC. 9. Be it further enacted, etc., That that the mayor and city council, and their duly elected and qualified successors in office, shall have perpetual succession; that they shall be capable of instituting and defending suits in all courts of this State, under the title of "The Mayor and City Council of Natchitoches," and that citations and other legal process shall be served on the mayor.

SEC. 10. Be it further enacted, etc., That the mayor and city council shall have full power and authority to make and pass such laws and ordinances as are necessary and proper; first, to regulate and preserve the peace and good order of the city, and provide for and maintain its cleanliness and salubrity, in a manner not inconsistent with the laws of this State; second to adopt and use a common seal; third, to purchase, hold and convey, alienate any estate, real or personal, to accept any gift, grant or inheritance of property for public or charitable purposes, to erect school, market and fire engine houses, and such other buildings as may be for the public benefit, and to build a city workhouse; fourth, to establish a quarantine for the protection of the city against contagious diseases and epidemics; fifth, to levy and collect such annual and special taxes on the real and personal, movable and immovable property of the city of Natchitoches as shall be deemed necessary by them; provided, that said taxes shall in no one year exceed two per centum on the assessed value of the real and personal estate within said city for the year for which the assessment of taxes is made; sixth, to impose an annual license tax on trades, professions and callings, said license to expire on the thirty-first day of December in the year in which it was obtained, and which license tax shall be due and payable at the office of the city treasurer from the first day of January to the twenty-eighth day of February inclusive; seventh, to fix the amount of bonds to be given by the city officers from whom bonds are required; eighth, to organize, appoint and uniform and commission a police force, and to appoint as many police officers as may be necessary; to fix their salaries and compensation of all officers and others appointed or elected by them; to remove for sufficient cause any of the appointees or officers elected by themselves, and to define the duties of all such officers and appointees; ninth, to survey and lay out streets, public squares, to regulate and make improvements to the streets and squares and other public property, and provide for lighting and watering the same; to construct a wharf within the corporate limits, and fix the wharfage dues thereon; to order and direct the ditching, filling, opening, widening and continuing of any of the streets, and if for the above or other public purposes the land of any private person or body corporate is necessary to be had, to purchase the same at a reasonable price, or to cause the same to be expropriated according to the mode and formalities prescribed by existing laws upon the subject, to regulate the proportions and to make and repair all common drains, public roads, levees, causeways and bridges, to determine the completion and pavement of the streets, to fix the squaring, and to prevent encroachment upon the stopping and obstructing of the streets, public squares, sidewalks, levees, public roads or river banks of the city of Natchitoches, and to order any object, whatsoever may be its value, which may incumber the said places or prevent and embarass the free use of the same, to be removed or sold for whom it may concern, in the same manner and after such advertisement as shall be required by ordinance; tenth, to clean the banks of Cane river, or other streams within the limits of the city, and reopen such ancient and natural drains as have been obstructed by the owners of adjacent land; eleventh, to determine what animals shall run at large within the corporate limits, and prohibit others from doing so, to impound all animals running at large in violation of the laws and ordinances of the city, to fix the penalties and fines which the owners thereof shall pay before the animal so impounded shall be delivered up, and to pass laws and ordinances for the sale of said animals, after three days' notice in a newspaper, or by posting; twelfth, to abate nuisances, suppress houses of ill-fame, and cause the arrest and punishment of vagrants; thirteenth, to enact laws and ordinances, and to make appropriations for the purpose of building a city workhouse, and providing for the government of the same; fourteenth, to pass laws and ordinances imposing a fine upon all persons who shall conduct any business or pursue any occupation for which a license is to be collected, whenever such persons shall conduct such business or pursue said occupation without previously obtaining such license; fifteenth, to regulate the police of theatres, public balls, taverns places for shows and exhibitions, houses of public entertainment, saloons and shops for retailing liquors, and to order the same to be closed whenever the public safety and tranquillity shall require it, and impose such duties and regulations upon persons keeping such places as they may deem necessary and proper; sixteenth, to regulate the proper government of carts and drays, carriages, omnibuses and other vehicles of every description; seventeenth, to establish market places, and adopt regulations by ordinances governing said market houses and places.

SEC. 11. Be it further enacted, etc., That the mayor and city council of Natchitoches shall succeed to, and be invested with, all the rights, property and possessions of the town of Natchitoches, as previously incorporated.

SEC. 12. Be it further enacted, etc., That the mayor and four councilmen, and no less number, shall constitute a quorum to transact business, but to levy any tax, toll or impost, or to fix any license, or to make any appropriation, it shall require a vote of the majority of the councilmen and mayor, and the affirmative and negative of each vote shall be recorded on the minutes.

SEC. 13. Be it further enacted, etc., That whenever the owner of the property in front of which a sidewalk, banquette or ditch shall have been ordered to be made, filled up, cleaned out or repaired, shall fail to do so in the time required by the laws and ordinances of the corporation, the mayor and city council shall cause it to be done at the expense of the owner of the property, and the said corporation shall have a special privilege on said property to secure the payment so due, which privelege shall hold until the corporation be paid; and in case such owner shall be absent from or have no authorized agent living in the corporation or parish of Natchitoches, or be unknown, the corporation shall have the right to proceed *in rem* against the property in the manner pointed out by article 292 and seq. of the Code of Practice; and the corporation shall be entitled to eight per cent interest upon the amount paid.

SEC. 14. Be it further enacted, etc., That in case of the absence or inability of the mayor to attend, the city council shall elect one of their number mayor pro tempore.

SEC. 15. Be it further enacted, etc., That the treasurer shall be ex-officio secretary of the city council, and as such he shall keep minutes of the proceedings of each meeting, and he shall read all laws, ordinances and resolutions, and all other proceedings of the city council; he shall file all the bonds of the officers of the city and record them in a separate book, and certified copies of said bonds and of all laws and ordinances shall be evidence in all courts of this State; he shall furnish, free of costs, to the mayor of the city certified copies of all laws and ordinances which impose a fine or penalty, or both, for their infraction, and he shall do and perform such other duties as may be imposed upon him by the ordinances of the city.

SEC. 16. Be it further enacted, etc., That as treasurer he shall keep a correct account of all moneys received and disbursed, he shall keep separate and apart from each other all moneys received by taxation on real and personal estates, licenses, fines and forfeitures, and he shall exhibit his account whenever required to do so by the mayor and city council.

SEC. 17. Be it further enacted, etc., That it shall be the duty of the assessor and collector to assess the taxes on real and personal estate in the city, in the manner pointed out by the laws and ordinances of the city, and to collect the same.

SEC. 18. Be it further enacted, etc., That for the purpose of levying and collecting taxes and licenses, the mayor and city council are hereby invested with full power to pass all laws not inconsistent with the constitution of the United States or of this State, to compel the payment, by compulsory process, of all taxes or licenses which may be due, and they are hereby authorized to confer on the assessor and collector power sufficient to carry into effect the laws and ordinances pertaining to the levying and collecting of such taxes and licenses.

SEC. 19. Be it further enacted, etc., That from and after the passage of this act the powers of the police jury of the parish of Natchitoches shall cease and determine within said city of Natchitoches, and the mayor and the city council shall possess all the powers within said corporation which have been heretofore exercised by the police jury, except so far as it relates to public buildings and property within said city which belong to said parish of Natchitoches, and that the inhabitants and property within the corporate limits of said city of Natchitoches shall be exempt from the payment of all parish taxes.

SEC. 20. Be it further enacted, etc., That all the laws and ordinances of the mayor and city council shall have effect two days after publication in the official journal of the parish, or after certified copies of them are posted at three public places in said town.

SEC. 21. Be it further enacted, etc., That no inconvenience may arise in the administration of the affairs of the city of Natchitoches in consequence of a failure or neglect to elect the municipal officers thereof, it is hereby declared that all officers elected under this act shall remain until their successors are duly elected and qualified.

SEC. 22. Be it further enacted, etc., That this act shall take effect from and after its passage, and the officers elected under the former charter shall hold their offices until the first Monday in May, A. D. one thousand eight hundred and seventy-two, or until their successors shall have been duly elected and qualified, and the clerk of the court shall order an election under this act as soon as the same is promulgated, and the officers elected at said election shall enter upon the discharge of their duties on the first Monday of May, one thousand eight hundred and seventy two, or as soon hereafter as they may qualify; provided, that if any officer elected shall refuse or fail to qualify within thirty days from the date of his election, the office for which he was elected shall be deemed vacant, and a new election to fill such vacancy shall be ordered and held in accordance with the provisions of this act.

SEC. 23. Be it further enacted, etc., That the right of appeal shall exist in all cases where fixed penalties and forfeitures shall be decreed under the provisions of this act, to the parish court of the parish of Natchitoches in the manner and under the same formalities as in the cases of appeal, and such appeals shall be tried in preference to appeals in ordinary cases.

SEC. 24. Be it further enacted, etc., That all laws or parts of laws in conflict with this act, and on the same subject matter, except the general laws of the State relative to municipal corporations, be and the same are 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 July 5, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. HERRON,
Secretary of State.

No. 97.

AN ACT

To authorize the North Louisiana and Texas Railroad Company to substitute stock of said company instead of second mortgage, in favor of the State, and to release the said company from other liabilities to the State.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That in lieu of the second mortgage required by the eleventh section of the charter of the North Louisiana and Texas Railroad Company, to be given to secure the State for the ultimate payment of the bonds of the State, issued in conformity to said charter, or act No. 168 of the session acts of the General Assembly of 1868, the said North Louisiana and Texas Railroad Company may give stock of said company to the State to an amount equal to the aggregate sum of the State bonds issued or to be issued under said charter, or act No. 168 of 1868, to wit: eleven thousand two hundred and twenty shares or eleven hundred and twenty-two thousand dollars of the sixty thousand shares, or six millions of dollars of the capital stock of said company, and in consideration of the issue and delivery of said stock by said company to the State the said North Louisiana and Texas Railroad Company shall be relieved from all liability on the aforesaid bonds of the State, and that on the delivery of the stock aforesaid the remainder of the whole number of bonds authorized to be issued by the aforesaid charter and act No. 168, to wit: five hundred and seventy-six bonds of one thousand dollars each, shall be immediately issued and delivered to the president of said company by the Governor of the State.

SEC. 2. Be it further enacted, etc., That within sixty days after the passage of this act the president and directors of the said North Louisiana and Texas Railroad Company shall, at a meeting held for that purpose, adopt all the provisions of this act, a copy of which resolution or resolutions of adoption shall be delivered to the Governor of the State within ninety days after the passage of this act, who shall file the same in the office of the Secretary of State, and it shall be the duty of the Governor of this State, as soon as the president of said railroad company shall tender to him the certificate or certificates of stock, according to the provisions of this act, to cause to be prepared, signed and executed, according to the twelfth section of the charter of said act No. 168 of 1868, the said five hundred and seventy six thousand dollars of said bonds yet to be issued, and deliver the same to the president of said railroad company, which shall be, with the bonds already issued, payment in full for said stock.

SEC. 3. Be