New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

THE SENATE YESTERDAY.

Eighth Day's Session.

SENATE CHAMBER, New Orleans December 17, 1872.

Senate stood adjourned, and at eleven o'clock Hon. A. B. Harris, Lieutenant Governor of the State and President of the Senate, took the chair, and ordered the roll of the Senate to be called. The following Senators answered to their names:

Hon. A. B. Harris, Lieutenant Governor and President of the Senate, and Messrs. Barber, Blunt, Burch, Cage, P. F. Herwig, Harper, Ingraham, Noland, Pollard, Sypher, Weber, Wharton, Worrell.

The President announced that there was not a quorum present.

On motion of Mr. Burch, the members present voted to take a recess till twelve o'clock M.

The President announced the Senate in recess until twelve M. this day.

Precisely at twelve M. the Senate was called to order by the President.

On call of the roll the following Senators answered to their names:

Present—Hon. A. B. Harris, Lieutenant Governor and President of the Senate, and Messrs. Barber, Blunt, Butler, Burch, Brewster, Greene, P. F. Herwig, E. F. Herwig, Housaker, Harper, Ingraham, Jenks, Maslicot, Noland, Pollard, Sypher, Stamps, Twitchell, Weber, Wharton, Worrell—22.

The President of the Senate announced a quorum present.

Prayer by the Chaplain.

Reading of the minutes of yesterday's proceedings was dispensed with, and the President announced that the journal of yesterday's proceedings stood approved, after the same had been corrected.

The President of the Senate then announced the following as a committee in pursuance with the following resolution, offered by Mr. Cage:

Resolved, That a committee of three be appointed by the President of the Senate to investigate the affairs of the Metropolitan Police Board, with power to report by bill or otherwise.

Dewitt Messrs. Cage, Greene and Stamps.

Also announced Messrs. Anderson and Salles to fill vacancies in the Committee on Disagreement.

INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By unanimous consent Mr. Twitchell introduced a bill to be entitled an act to authorize the Auditor of Public Accounts to extend the time for final settlement of the accounts of the State tax collectors for one month from the time now prescribed by law in the fourth congressional district in this State, and for other purposes.

Mr. Twitchell asked for a suspension of the rules to take up the bill on its first reading.

The bill was read, and under the suspension of the constitutional rule by a four-fifths affirmative vote, the bill was carried to its second reading.

On motion of Mr. Jenks, the bill was ordered to be referred to the Committee on Finance, with instructions for the committee to report the bill back to the Senate on Thursday next.

The President then announced the bill referred to the Committee on Finance.

NOTICE OF BILLS.

By Mr. Brewster:

A bill to be entitled an act to incorporate a board of health for the State of Louisiana, to define the duties and powers of such board; to provide for its expenses, for penalties for violation of this act, and to repeal certain acts now in force.

By Mr. Housaker:

A bill to be entitled an act to provide a fund for the gradual payment of the State debt, and to authorize the Auditor and Treasurer to advertise for the purchase of bonds, and to destroy the same every year, and for other purposes.

By Mr. Weber:

A bill to be entitled an act for the relief of the taxpayers of the State.

By Mr. Burch:

A bill to be entitled an act to repeal section three of act No. 21, passed at the second session, second Legislature, began and held in New Orleans, January 4, 1872.

RESOLUTIONS INTRODUCED.

By P. F. Herwig:

Resolved, That a committee of three be appointed by the President of the Senate to investigate the affairs of the Louisiana Levee Company; and that the said committee be and are hereby empowered to send for persons and papers, and to administer oaths.

To lie over.

By Mr. Butler:

Resolved, That the President of the Senate appoint a special committee of three to inquire into the affairs of the Crescent City Live Stock Landing and Slaughterhouse Company.

To lie over.

By Mr. Jenks:

A resolution authorizing the appointment of a committee to investigate the affairs of the Louisiana State Lottery Company, at some future day, more fully to be defined.

To lie over.

HOUSE BILLS ON CALENDAR.

House bill No. 1 to be entitled a joint resolution providing for the appointment of a joint committee on the conduct of the late elections in the city of New Orleans.

On motion of Mr. Ingraham the bill was taken up by unanimous consent, and put upon its second reading and read. The following amendment was offered by Mr. Ingraham: Strike out the words "City of New Orleans," and insert in lieu thereof the following: "State of Louisiana" in the body and title of said resolution, which amendment was adopted. The constitutional rule was then by a four-fifths affirmative vote suspended, and the bill read a second time. The amendment adopted was then considered engrossed, and the joint resolution was adopted on its second reading as amended.

On motion of Mr. Ingraham, the bill was put on its third and final reading, four-fifths of the members present having voted in the affirmative.

The bill was finally adopted with its title as amended, and so announced by the President of the Senate.

A call for executive session being duly seconded, the President ordered the chamber cleared.

Executive session being raised, the Senate was called to order by the President.

On calling of the roll, the following answered to their names:

Messrs. Anderson, Barber, Blackburn, Blunt, Butler, Brewster, Burch, Cage, Greene, P. F. Herwig, E. F. Herwig, Harper, Housaker, Ingraham, Jenks, Noland, Maslicot, Pollard, Stamps, Sypher, Twitchell, Todd, Weber, Wharton, Worrell, and the President of the Senate—26.

The President announced a quorum present.

On motion of Mr. Sypher, the Senate proceed to adjourn until morrow at 12 M.

The President then announced that the Senate stood adjourned to meet to-morrow, Wednesday, December 18, at twelve o'clock M.

CITY COUNCIL—OFFICIAL

REGULAR MEETING.

CITY HALL, NEW ORLEANS, Tuesday, December 17, 1872.

The Council was called to order in regular session at noon.

Present—Mayor Louis A. Wiltz, presiding, and Administrators B. M. Turnbull (Commerce), Charles Fitzenreiter (Waterworks and Public Buildings), James Lewis (Improvements), Robert Brewster (Police), and H. F. Sturcken (Assessments).

Absent—Administrators Alfred Shaw (Public Accounts) and John S. Walton (Finance).

The Mayor desired to have a correction of the minutes of the last meeting. The Secretary stated in the minutes that the Mayor had decided that "a majority of the Council" not having voted on the resolution repealing the resolution authorizing the employment of special counsel respecting the claims of candidates for office, the resolution was not carried. The fact was that before he decided the question a motion to adjourn was made and carried.

The minutes were ordered corrected as suggested by the Mayor, and as corrected were approved and their reading dispensed with.

Messages from the Mayor.

MAYORALTY OF NEW ORLEANS, December 17, 1872.

To the City Council of New Orleans:

I respectfully recommend that a committee of this board be raised, with authority to inquire and report whether suitable buildings and grounds for the City Asylum for the Insane can be rented, bought or built by the city, and in what location and upon what terms; also, whether an arrangement can be made with any proprietor of a private insane asylum for taking care of the present inmates of the city asylum, and such other indigent insane persons as may hereafter become a charge to the city, together with such other facts as they may consider pertinent to this important subject.

On the sixteenth, accompanied by Messrs. Turnbull and Fitzenreiter, of your board, I visited the City Insane Asylum, now established in the United States Marine Hospital building, at the corner of Broad and Common streets. The square is surrounded by four drainage canals, and the ground is low and swampy. The gloomy aspect of the structure corresponds with the monotonous and lonely scenery. A building in such a location can not be made cheerful, comfortable or healthy.

The interior is quite as forbidding and gloomy as the exterior. The west wing of the hospital has been rudely fitted up for a purpose widely different from that for which it was built. The narrow area is inclosed with a high picketed fence, which, with the barred galleries and the rooms inclosed with lattice work of rough lumber and secured by ponderous, rusty locks, must at first view be painfully suggestive of a prison to the disordered minds of patients as they enter what ought to be a curative hospital and a comfortable home. It is my belief that if the whole building belonged to the city no expense short of that required for a new asylum would fit it for this use, even if its site were not an insuperable objection. The more violent patients are sometimes shut up in outbuildings or narrow stalls made of rough, heavy planks, with the floors near the damp ground, without proper ventilation, and wholly without means for heating when necessary. The less violent patients are confined singly in barred cells in the main building, where ventilation is ample, but where there are no means of heating. The patients who require no confinement are allotted to large rooms partitioned with unplaned plank lattice, and open to free circulation of air, whether damp or dry, cold or hot. The rooms are mostly without furniture, and have an uncomfortable and dismal aspect. Even the female patients are assigned to apartments having scarcely the comforts of a modest barracks for soldiers. The building will not admit of classifying patients according to the degree of severity of their affliction. The more sensitive and intelligent are thereby denied the privacy which they naturally desire, and are often obliged to hear and see much that is painful and revolting. One hundred and thirty patients, about the average number, can by no means be properly cared for in the establishment as now arranged.

Notwithstanding the unwholesome site, the bad arrangement and the unsuitable character of the building, and the insufficient number of attendants, many of the inmates seemed cheerful, and all were clothed comfortably, excepting a few who have not yet been supplied with shoes, and a few others who habitually destroy their clothing. The rations are ample and wholesome, and, as far as means and appliances extend, the establishment, although in no proper sense an asylum, has been put in a better condition than I expected to find it, and certainly better than public rumor has represented.

The budget for 1873 limits your appropriation for the insane to a sum by far too small, but that estimate does not prevent the Council from acquiring or renting any requisite lands, or from erecting any suitable buildings for this or any other charitable uses.

Opposed as I am to all outlay of public money and all increase of public debt not strictly necessary, I yet feel it a duty to recommend this unfortunate class of sufferers to your especial favor, and to advise you to take prompt and adequate measures for their relief at any necessary cost.

LOUIS A. WILTZ, Mayor.

The message was received and ordered printed.

Mr. Lewis moved that a committee of three be appointed in accordance with the recommendation of his honor the Mayor to select a site for all the charitable institutions of the city, and suggested that the Legislature, if properly appealed to, would probably provide for most of the city insane in the State Asylum at Baton Rouge.

The Mayor nominated as a committee the Administrators of Waterworks and Public Buildings, Commerce and Police.

The Mayor laid before the Council the following message:

MAYORALTY OF NEW ORLEANS, December 17, 1872.

To the City Council of New Orleans:

As a matter of form I veto the ordinance passed by the Council at its last session, "fixing and assessing a tax or license to provide for the interest of bonds issued to the Pontchartrain Railroad Company," which was specially referred to me for examination before promulgation. I find the ordinance is unnecessary, the appropriation required having been included in the budget and in the ordinance levying the city debt tax for the year 1873, passed last week.

LOUIS A. WILTZ, Mayor.

The message was received and ordered printed.

The Mayor also laid before the Council the following message:

MAYORALTY OF NEW ORLEANS, December 17, 1872.

To the City Council of New Orleans:

I have caused a statement to be prepared of the cost of stationery used in the City Hall during the past three years, of which a summary is presented herewith, amounting to $18,866.

I respectfully recommend that, with a view to economy, the Council adopt some uniform plan for the supply and issue of such stationery as may be needed from time to time.

RECAPITULATION FOR 1870, 1871 AND 1872.

Department of the Mayor	$1,406 83
Department of Commerce	837 02
Department of Police	13,070 70
Department of Improvements	12,190 18
Department of Assessments	2,000 45
Department of Public Accounts	6,831 00
Department of Finance	2,074 30
Department of Waterworks and Public Building	476 49
City Attorney	2,832 10
City Surveyor	1,731 10
City Library	72 05
City Council	568 75
Commissioners consolidated debt	18 00
Several accounts	4,249 02
Total expended for stationery	$18,866 70

LOUIS A. WILTZ, Mayor.

Received and ordered to be printed.

Reports from Administrators.

By Mr. Fitzenreiter:

DEPARTMENT OF WATERWORKS AND PUBLIC BUILDINGS, December 17, 1872.

To the City Council of New Orleans:

I have the honor to inform you that Mr. G. Gottschalk has been appointed keeper of courthouses, to take effect from December 1, 1872.

CHARLES FITZENREITER, Administrator.

Received and approved.

By Mr. Lewis:

Resolved, That the City Attorney be and he is hereby directed to have reopened and argued before the Superior District Court, suit of David Bidwell et als. vs. city of New Orleans, No. 7885 on docket of the late Eighth District Court, the same not having been tried and decided on its merits.

Mr. Lewis stated that by the charter the control of the city squares was vested in the City Council, and that last year the receipts from them had been $1600, against $1000 expenses, and that if this sweeping decision were maintained, the city would not even have the power of authorizing the erection of the Franklin statue in Lafayette Square.

The resolution was adopted.

By Mr. Fitzenreiter:

DEPARTMENT OF WATERWORKS AND PUBLIC BUILDINGS, December 17, 1872.

To the City Council of New Orleans:

A bid of Mr. C. Tyler was the only one received in response to an advertisement for one flatboat load of Pittsburg coal; the rate, for cash, eighty-seven and a half cents per barrel, delivered within the Water works inclosure. Holding to the propriety of accepting this bid, based on a cash valuation, I respectfully ask the passage of the following resolution:

CHARLES FITZENREITER, Administrator.

Resolved, That the adjudication by the Administrator of Water Works and Public Buildings of a contract for one flatboat load of Pittsburg coal, for the sum and price of eighty-seven and a half cents per barrel, cash, unto C. Tyler, with George W. S. Lynson as security in the sum of $2000, be and the same is hereby approved, the security accepted, and the Mayor authorized to sign and execute on behalf of the city the necessary contract to carry the same into effect.

Adopted.

By Mr. Turnbull:

DEPARTMENT OF COMMERCE, December 17, 1872.

To the City Council of New Orleans:

The petition of Alexander M. Mir to put a movable frame construction on the neutral ground or banquette in front of the French market, at the corner of Decatur and St. Ann streets, Second District, for the purpose of carrying on the business of retail dealer in soda, cakes and cigars and newspapers. I have examined into the matter, and recommend that the petition be granted. I respectfully offer the following resolution. B. M. TURNBULL, Administrator.

Resolved by the City Council of New Orleans, That permission is hereby granted to Alexander M. Mir to place a movable frame stand on the neutral ground or banquette in front of the French Market, at the corner of Decatur and St. Ann streets, for the purpose of carrying on the business of retail dealer in soda, cakes, cigars and newspapers, which privilege is to be revocable at the pleasure of the Council.

Adopted.

By Mr. Sturcken:

An ordinance providing for the registration and numbering of hand-carts.

SECTION 1. Be it ordained by the Council of the city of New Orleans, That the owner or owners of all hand-carts, used in the city of New Orleans, in the way of business for transportation of goods, wares or merchandise, or any articles or materials whatever, shall cause a register of such hand-carts to be made in the Mayor's office, and a number obtained for the same in manner and form as is provided for other vehicles.

SEC. 2. Be it further ordained, etc., That for any violation of this ordinance such owner or owners shall be fined in a sum of ten dollars, to be collected as by law provided for the collection of other municipal fines and penalties.

SEC. 3. Be it further ordained, etc., That this ordinance shall take effect from and after its passage.

Mr. Lewis moved to amend by making the fine not less than ten dollars.

The amendment was accepted, and the ordinance as amended was adopted.

By Mr. Sturcken:

Resolved, That the assessment rolls for the year 1872, prepared by the Department of Assessments, showing the value of taxable property in the city of New Orleans to be as follows:

Real estate	$111,739,601
Income	2,130,618
Furniture	268,[illegible]
Horses and carriages	1,036,250
Stocks in vessels, etc	85,[illegible]
Capital	19,167,[illegible]
Total	$135,891,83[illegible]

Be and the same are hereby accepted and homologated as the lawful basis of taxation for the year 1872, payable in 1873.

Adopted.

Financial Business.

Mr. Lewis called up the following ordinance passed to second reading and laid over November 19:

An ordinance for the payment of the pay rolls therein named.

Be it ordained, That the sum of $18,000, or so much thereof as may be found necessary, is hereby appropriated for payment of the weekly pay rolls of the city for the week ending November 25, 1872.

Mr. Turnbull said he understood the purport of this resolution was simply to have the names of the laborers placed on the pay rolls and approved by the Council.

Mr. Lewis said that this was the object of the resolution.

Adopted.

By Mr. Lewis:

An ordinance for the payment of the pay rolls therein named.

Be it ordained, That the sum of $19,219 03 is hereby appropriated for the weekly pay rolls of the Department of Improvements for the three weeks ending December 2, 9 and 16, 1872.

Passed two readings.

By Mr. Lewis:

An ordinance providing for the payment of the several accounts therein named.

Be it ordained, That the following appropriations be and are hereby made, and that the Administrator of Public Accounts warrant on the Administrator of Finance in payment of the same:

J. T. Jackson, Coroner Second and Third districts, for inquests, views and burials in the month of November, 1872, $1128.

A. W. Walker, recorder of births, marriages and deaths, for recording deaths that occurred in the charitable institutions of the city in the month of November, 1872, $77 50.

J. Brette, jury warrants, $90.

New Orleans Republican Printing Company, advertising notice for Mayor's office, approved, $1.

George E. Toeppel, card die changed and blue ribbon for Mayor's office, approved, $[illegible].

John S. Walton, cost advanced for law charges, $[illegible].

Passed two readings.

Mr. Lewis called up the following resolution, explaining that it was under a contract entered into by ordinance No. 1615, Administration series:

Resolved, That the Administrator of Finance be and he is hereby directed to issue new consolidated bonds, drainage series, at par, in settlement of the following claim:

James J. O'Hara, for constructing a wooden revetment along the lake shore, on account, $4500.

Adopted, Mr. Brewster voting no.

Mr. Lewis called up on final passage an ordinance, passed to second reading last week, commencing C. H. Luzenberg, $450.

Adopted.

Mr. Lewis called up on final passage an ordinance, also passed to second reading last week, commencing Jean Rogers, $42.

Adopted.

Mr. Lewis called up an ordinance read twice and laid over November 26, of which the following items were passed: Stetson & Armstrong $30 25, J. Buckley (amended to read) $193 75, New Orleans Printing Company $31 50, W. L. Evans $15, A. Jardet $42, J. A. Masicot $3369 60, N. Trepagnier $1282 80, J. A. Masicot $1594 70, New Orleans Republican $1433 60, New Orleans Republican $75, New Orleans Republican $515, John Stratton $8, B. P. Blanchard $3000, Lauer, Irwin & Roper $1200.

The item Thomas J. Burke $500 was laid over for examination.

Mr. Lewis called up an ordinance also read twice and laid over November 26, commencing New Orleans Republican $20.

An item of three years' subscription to the New Orleans Republican for the Sixth District Recorder's Court was laid over. The rest of the ordinance was adopted.

Mr. Lewis called up an ordinance also laid over November 26, commencing P. Keenan, $53.

Adopted.

Mr. Sturcken called up an unfavorable report on the tax petition of A. D. Dorlocourt, laid over December 3.

Adopted.

Mr. Sturcken called up a resolution for the relief of Louis Moreau, laid over December 3.

Adopted.

Mr. Sturcken called up an unfavorable report on the petition of Rev. Thomas J. Smith, laid over December 3.

Adopted.

Petitions, etc.

Mr. Turnbull presented a petition for the extension of the pound limits, which was referred to the Administrators of Improvements and Police.

The Mayor laid before the Council the following petitions:

A. E. Greenwood for tax relief. Referred to the Administrator of Assessments.

St. Anna's Asylum for assistance. Referred to the Administrator of Public Buildings.

Citizens for confirmation of titles to their lands. Referred to the City Attorney.

The Mayor also laid before the Council a requisition on the Administrator of Police for clothing, etc.

Mr. Lewis moved that it be referred to the Administrator of Police, with power. He thought that the gentleman who had the confidence of the community that elected him could be trusted with the purchase of $500 worth of clothing.

Mr. Brewster said he desired to choke off all possibility of suspicion, and, therefore, asked that some other Administrator should be associated with him in the purchase.

The motion of Mr. Lewis to refer to the Administrator of Police, with power, prevailed.

The Council then adjourned.

H. CONQUEST CLARKE, Secretary.

AMUSEMENTS.

Varieties Theatre.

Grand matinee to-day at twelve o'clock, when the play of "Jane Eyre" will be presented. The same bill this evening. Miss Charlotte Thompson in the title role.

St. Charles Theatre.

"Fortunio," one of the most enchanting pieces produced by the Oates' comic opera company, will be brought out again this evening. The music is superb, the costumes appropriate and elegant, and as an operatic extravaganza it has always had a successful run. Next Friday evening benefit of Mrs. Oates.

Academy of Music.

This evening the second edition of "Flick and Flock" pantomime will hold the boards at the Academy, interspersed with lots of funny things and the ballet. Next Monday Mr. James Robinson, the champion bareback rider, with his mammoth circus company, will appear.

Exposition Hall.

The second of the Strakosch concerts will be given this evening, to commence at eight o'clock. Tickets may be had at Grunewald's music store, No. 120 Canal street.

Odd Fellows' Hall.

Next Monday evening the great violin virtuoso, Mr. Ole Bull, assisted by Miss Graziella Ridgway, soprano, Signor Ferranti, baritone comic, and Mr. Joseph H. Douck, pianist and composer, will give his first concert. This will be succeeded by concerts on Tuesday and Wednesday evenings.

Barnum's Show.

Today, at one o'clock, will be the first exhibition of Barnum's great show on Canal street, corner of Tonti, which we have told our readers all about. Another exhibition this evening at seven o'clock. Three exhibitions daily the remainder of the week.

Meteorological and River Report.

The signal service, United States army, reports, for the benefit of commerce, the meteorological record, and rise or fall of the rivers, at 3:43 P. M., local time, yesterday, as follows:

Place.	Ther.	Wind.	Weather.
Cairo	31	N. E.	Cloudy.
Chicago	28	S.	Cloudy.
Cincinnati	36	S.	Cloudy.
Davenport	25	.....	Cloudy.
Galveston	58	N.	Threatening.
Indianola	54	N.	Light rain.
Keokuk	30	S.	Cloudy.
Leavenworth	24	N. E.	Fair.
Louisville	34	N. E.	Cloudy.
Memphis	32	N. E.	Cloudy.
Nashville	37	S.	Cloudy.
New Orleans	57	S.	Foggy.
Omaha	20	S.	Fair.
Pittsburg	30	S.	Cloudy.
Shreveport	47	N. E.	Heavy rain.
St. Louis	32	S.	Fair.
St. Paul	8	N. W.	Cloudy.
Vicksburg	45	.....	Light rain.
Fort Benton	2	N. W.	Light snow.
Fort Sullivan	31	.....	Cloudy.

THE RIVERS.

Stations.	Rise.	Fall.	Above low water mark. Ft.	In.
Davenport		1	4	9
Dubuque	1		5	1
St. Louis		2	4	1
Pittsburg		2	5	8
Cincinnati		1	4	1
Louisville		1	4	1
Memphis		1	4	1
Shreveport		1	2	7
Nashville		1	2	9
New Orleans		1	1	7

The river here is fifteen feet one inch below high water mark of 1871.

The Temperature.

The thermometer at Louis Frigerio's, No. 59 Chartres street, yesterday stood as follows: At 8 A. M., 56°; at 2 P. M., 64°; at 6 P. M., 58°. Lowest point during the night of December 16, 52°.

The Attakapas *Register* has this sensible paragraph, which will apply to other parishes than St. Mary:

The wolves that ravish the good people of St. Mary do not carry carpet bags; neither do they carry tails behind them; but they are as shapeless as spirits, and as destructive as evil ones. Their names are—ignorance, prejudice, immorality and lethargy.

Minute diamonds are now worn for vest buttons in full dress.

LAWS OF THE STATE OF LOUISIANA

PUBLISHED BY AUTHORITY.

AN ACT No. 1.

Relative to the office of Attorney General, and directing the discontinuance of certain proceedings before the Supreme Court of the United States.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened: Whereas, The Hon. A. P. Field has been duly promulgated as having been elected to the office of Attorney General of this State; and, whereas, such promulgation is by law made evidence of title to said office against all persons until after judicial decision adverse to the same; and, whereas, the said Field has been duly commissioned as the Attorney General of this State; and, whereas, other persons are claiming to represent the State of Louisiana in judicial proceedings. That the said A. P. Field, and his legal successors, and those acting under him or them be alone authorized to institute or continue in the name of the State of Louisiana any suit or judicial proceeding, and all other persons are prohibited from doing the same, provided that nothing herein shall be construed to prevent the executive of the State from directing the institution of any proceeding in the State courts which in his opinion his duty as executive may render necessary.

SEC. 2. Be it further enacted, etc., That the said A. P. Field is authorized and instructed to discontinue any and all proceedings instituted in the Supreme Court of the United States by H. N. Ogden or any other person in the name of the said State.

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

(Signed) CHARLES W. LOWELL, Speaker of the House of Representatives.
(Signed) A. B. HARRIS, President of the Senate, Acting Lieutenant Governor.

Approved December 10, 1872.
(Signed) P. B. S. PINCHBACK, Lieutenant Governor, Acting Governor of the State of Louisiana.

A true copy:
GEORGE E. BOVEE, Secretary of State.

AN ACT No. 2.

To establish an additional district court for the parish of Orleans; to define and limit the jurisdiction, and to determine the powers thereof; to provide for the transfer of certain cases now depending before certain other district courts for said parish to the court hereby created; to authorize the Governor to appoint a judge and a clerk for said court, and to provide a court room for said court; to abolish the Seventh and Eighth District Courts for the parish of Orleans, and to provide for the transfer of the records and suits in said Seventh and Eighth District Courts to other courts in said parish.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That there shall be, and is hereby established, an additional district court for the parish of Orleans, which shall be known and designated as the Superior District Court for the parish of Orleans.

SEC. 2. Be it further enacted, etc., That the Superior District Court hereby created shall have exclusive jurisdiction in and for the parish of Orleans, to issue writs of injunctions, mandamuses, quo warranto, and to entertain all proceedings, and to try all cases of actions in which the right to any office, State, parish or municipal, is in any way involved. The said Superior District Court shall also have exclusive original jurisdiction in and for the parish of Orleans, over all cases or proceedings in which the State of Louisiana, the municipal corporation of the city of New Orleans, the Board of Metropolitan Police, the Board of School Directors for the city of New Orleans, or any corporation established by act of the General Assembly, and domiciled in the parish of Orleans, shall be a party, or be interested, where the amount in dispute shall exceed the sum of one hundred dollars, and said court shall have appellate jurisdiction from the justices of the peace in the parish of Orleans in all cases in which the State, the city of New Orleans, the Board of Metropolitan Police, the Board of School Directors, or any such corporation afore said shall be a party or be interested, and shall have power to issue writs of prohibition, injunction, mandamus and certiorari in aid of such appellate jurisdiction; provided, that nothing in this act shall be construed to in any manner limit or affect the jurisdiction and power of the Supreme Court of the State of Louisiana to issue, hear and determine any and all writs or orders which by the constitution or by the existing laws said court has authority to issue, hear and determine; and provided further, that this act shall not be construed to prevent the Second District Court for the parish of Orleans from exercising all the powers granted by section five of act No. 2 of the special session of 1870, approved March 16, 1870, or the Third District Court for the parish of Orleans from exercising the powers granted in section seven of said act; and provided still further, that this act shall not be held to deprive any judge or court of the power to issue injunctions to stay the execution of any order of seizure and sale, or any writ of execution or possession granted by such judge or court, and shall not be held to deprive any such judge or court of the power to issue the writ of injunction to stay the execution or enforcement of any judgment rendered or order of sequestration, attachment or provisional seizure, made by such judge or court. The power reserved to the Second and Third District Courts to issue writs of mandamus and injunction in aid of their special jurisdiction, and the power reserved to each of the district courts to issue writs of injunction to stay proceedings in said courts, as herein set forth, shall be exclusive of the Superior District Court herein created.

SEC. 3. Be it further enacted, etc., That in any case in which an injunction shall issue from the Superior District Court hereby established, against any party or parties to any suit or proceeding, depending before any other district court for said parish, except the Probate Court, it shall be the duty of the judge and clerk of such court in which such suit or proceedings is depending, to immediately transfer the record of such suit or proceeding to the said Superior District Court, which shall be vested with power to hear and determine such cause as if the same had been originally brought in said Superior District Court. Immediately upon the passage of this act it shall be the duty of the judges of the Third, Fourth, Fifth and Sixth District Courts for the parish of Orleans to transfer to the Superior District Court for the parish of Orleans all suits or proceedings, the jurisdiction over which is, by this law, vested in said Superior District Court. The said Superior Court for the parish of Orleans shall be and is hereby vested with jurisdiction over all such suits or proceedings so to be transferred, and with he ame power to hear and determine such suits and proceedings so to be transferred, as if the same had been originally brought in said Superior District Court. All suits or proceedings depending in the Seventh and Eighth District Courts for the parish of Orleans, the jurisdiction over which is by this law vested in the Superior District Court for the parish of Orleans, whether determined or not, are hereby transferred and declared to be pending in said Superior District Court from and after the passage of this act. The said Superior District Court is hereby declared to be and is hereby vested with jurisdiction over all such suits and proceedings as if they had been originally brought in said Superior District Court, and shall be proceeded with in said Superior District Court, and tried and determined, and process issued and executed therein and by said court in the same manner as if such suits or proceedings had been commenced originally in said Superior District Court for the parish of Orleans. The judge of said Superior District Court for the parish of Orleans shall have power and authority, at the instance of any party interested, or at the instance of the Attorney General of the State, to direct writs of mandamus and injunction to the clerks of said other district courts, to the parties to any suit or suits and their attorneys, or to any person or persons interfering, in all cases in which it may be necessary or expedient to protect the jurisdiction of said Superior District Court, as conferred by this act. In case any suit, or proceeding over which the said Superior District Court shall have exclusive jurisdiction, shall at any time hereafter be depending in any other district court for the parish of Orleans, and the judge of said court shall neglect, or refuse to allow an order of transfer of such cause, or proceeding, to the said Superior District Court, then and in that case either party to such suit, or proceeding, may cause to be filed in the said Superior District Court certified or sworn copies of the citation or citations, petition and pleadings in such suit or proceedings; and the said Superior District Court shall proceed to hear and determine such suit or proceeding exclusive of such other court, the same in all respects as if such suit or proceeding had been originally instituted or commenced in such Superior District Court.

SEC. 4. Be it further enacted, etc., That all acts of the General Assembly regulating the practice in the district courts of the parish of Orleans, except so far as they may be inconsistent with this act, or contrary to its provisions, shall apply to and bind the judge and clerk of the Superior District Court of the parish of Orleans.

The judge of said Superior District Court shall be a member of the board of district judges for the parish of Orleans, organized by act No. 59, of the session of 1872, approved April 23, 1872. The judge of the Superior District Court shall have power to establish and ordain rules of court in relation to the special jurisdiction of said court; provided, that no such rule shall conflict with a law of the State. Where the rules of the district courts for the parish of Orleans do not conflict with the rules so to be adopted by said judges, they shall have force in said Superior District Court.

SEC. 5. Be it further enacted, etc., That the Superior District Court for the parish of Orleans shall occupy the courtroom, clerk's office and chambers now occupied by the Eighth District Court for the parish of Orleans, unless the city of New Orleans, with the concurrence of the judge of said Superior District Court, shall provide another courtroom and offices for said new court. But the judge of said Superior District Court may hold court in any other room, if, for any reason, it is impossible or inconvenient to occupy said Eighth District courtroom.

SEC. 6. Be it further enacted, etc., That the offices of judge and clerk of the Superior District Court for the parish of Orleans, hereby established and organized, shall be deemed to be vacant as in case of original vacancy. The Governor shall at once fill such vacancies by appointment, under the provisions of the act of the General Assembly approved August twenty-eighth, eighteen hundred and sixty-eight, and entitled "an act to determine the mode of filling vacancies in all offices for which provision is not made in the constitution." After the expiration of the commissions so to be issued, the said offices shall be filled by election, in the same manner and at the same time that the other district judges throughout the State shall be elected. The judge of said court shall receive the same salary received by other judges of district courts. The clerk of said court shall have the same powers as other clerks of district courts, and shall receive the same emoluments. The judge of the Superior District Court shall have the right to name the minute clerk of said court, and may appoint a stenographer, who, with the minute clerk, shall be under the immediate direction of the judge. The minute clerk and the stenographic writer shall be paid by the clerk of said court such salaries as the judge of said court shall fix.

SEC. 7. Be it further enacted, etc., That the act of the General Assembly, approved March 16, 1870, entitled "an act to establish an additional district court for the parish of Orleans, to define the jurisdiction thereof, and to reorganize and determine the jurisdiction of the existing seven district courts for the parish of Orleans," be and the same is hereby repealed, in so far as it establishes and organizes the Eighth District Court for the parish of Orleans; it being the intent and purpose of this act to abolish the said Eighth District Court for the parish of Orleans, and the said Eighth District Court for the parish of Orleans be and is hereby abolished. All suits or proceedings, and the records thereof, now depending in said Eighth District Court for the parish of Orleans, which are not, by the provisions of this act, transferred to the Superior District Court herein established, are hereby transferred to the Fifth District Court for the parish of Orleans, and the said suits or proceedings are declared to be pending in said Fifth District Court, from and after the passage of this act. The records of all suits heretofore brought in said Eighth District Court, whether determined or not, and not hereinbefore transferred to said Superior District Court, are hereby transferred to said Fifth District Court. All suits or proceedings so transferred shall be proceeded with in said Fifth District Court, and tried and determined, and process and judgment issued and executed therein, and by said court, in the same manner as if the same had been commenced originally in said Fifth District Court for the parish of Orleans.

SEC. 8. Be it further enacted, etc., That the Seventh District Court for the parish of Orleans be and is hereby abolished. All suits and proceeding now depending in said Seventh District Court for the parish of Orleans, which are not by the provisions of this act transferred to the Superior District Court herein established, are hereby transferred to the Fourth District Court for the parish of Orleans, and the said Fourth District Court is hereby vested with jurisdiction to hear and determine such suits or proceedings as if the same had been originally brought in said Fourth District Court, and the said suits or proceedings are declared to be pending in said Fourth District Court from and after the passage of this act. The records of all suits or proceedings heretofore brought in said Seventh District Court, whether determined or not, and not hereinbefore transferred to said Superior District Court, are hereby transferred to said Fourth District Court, and all proceedings so transferred shall be proceeded with in said Fourth District Court, and tried and determined, and process and judgment issued and executed therein and by said Fourth District Court, in the same manner as if the same had been commenced originally in said Fourth District Court for the parish of Orleans.

SEC. 9. Be it further enacted, etc., That all laws or parts of laws in conflict with this act be and the same are hereby repealed, so far as they are in conflict, and this act shall have force and effect from and after its passage.

(Signed) CHARLES W. LOWELL, Speaker of the House of Representatives.
(Signed) A. B. HARRIS, President of the Senate and Acting Lieutenant Governor.

Approved December 11, 1872.
(Signed) P. B. S. PINCHBACK, Lieutenant Governor and Acting Governor of Louisiana.

A true copy:
GEO. E. BOVEE, Secretary of State.

AN ACT No. 97.

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. 108 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. 108 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. 108 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. 108 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 it further enacted, etc., That the Governor shall have the right to appoint annually, on behalf of the State, one of the nine directors now authorized to be elected by the stockholders to represent the interests of the State in said company, the stockholders electing the other eight directors.

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

(Signed) O. H. BREWSTER, Speaker