New Orleans Republican.
OFFICIAL JOURNAL OF THE UNITED STATES
OFFICIAL JOURNAL OF NEW ORLEANS

CHAMBER OF COMMERCE.

Memorial of the Chamber of Commerce in Favor of Reciprocal Trade with Spanish America and Ocean Postal Service from New Orleans.

The subjoined memorial was presented and approved at the meeting of the New Orleans Chamber of Commerce on Monday evening:

To the President and Senate of the United States:

The Chamber of Commerce of New Orleans are deeply interested in the improvement of trade with the Spanish American States, and especially with the republic of Mexico. They learn with pleasure that the government of Mexico has at last relaxed its suspicions of the people of the United States, and manifests a disposition to contract with them amicable and commercial relations. Mexican enterprise and capital are now directed to the development of that amity, and we hope very soon to have railroads and steamships connecting the two republics with bonds which will make any future wars injurious to each. Both, then, will cultivate carefully those relations which commerce engender. But your memorialists find other obstacles to trade with Mexico and other States referred to in the tate of revenue and other internal duties imposed by those States upon all foreign commerce, besides the port and other charges which are collected on shipping and trade at the principal seaport cities of those States.

They therefore respectfully request your honorable influence in the adoption of some more uniform and reciprocal rates of duties, internal and port charges between the United States and such other countries.

The report of an American consul at Mexico estimates the aggregate rate of all federal and State revenues and municipal charges upon a commodity imported into Mexico, transported to and sold at the capital city, at ninety-two per cent ad valorem.

Turning to the Spanish colonial possessions in the Gulf of Mexico, your memorialists find among the principal duties imposed upon foreign commerce the following: On corn, eighty per cent; on flour, seventy five per cent; on hog products, seventy-five per cent ad valorem. These are the leading articles of American production. In addition, your memorialists find that notwithstanding the position of absolute neutrality maintained by your honorable authority in the civil war now and for four years past waging between the Spanish government and a portion of its subjects desirous of independence, that the Spanish government now imposes "a war tax" of twenty-five per cent ad valorem upon all foreign commerce, thus making the government and people of the United States depart from their neutrality by contributing to her expenses of maintaining by civil war the law of Spain over her own subjects. This added "war tax" makes the duties imposed on the American products stated more than one hundred per cent ad valorem. At the same time the duties imposed by the United States on the products of Cuba imported into the United States, are a specific duty of something more than two cents per pound average upon sugar, equal to about sixteen to twenty per cent ad valorem; seventy-five per cent upon tobacco and cigars; ten per cent on dry hides, while coffee, one of the principal products of labor in Porto Rico, is admitted into the United States duty free.

These are a few of the most signal instances of inequality in the rates of revenue duty imposed by the United States upon the products of her neighbors on this continent, and the rates of duty imposed by those countries upon the products of the United States. The attention of the President is respectfully called to a suggestion in one of his messages that these relations should be reviewed with a view to place them on a footing of reciprocity. They respectfully suggest the appointment of a suitable commission to examine into and prepare such a system as would relieve our commerce and others from the burden and embarrassment to which it is subjected, and the adoption on our part of a continental commercial policy. This would relieve the commerce between the valley of the Mississippi, comprising more than 20,000,000 of people, and the countries referred to, of all that impedes a fruitful and fraternal commerce.

When the fact is remembered that the government of the United States is the arbiter and protector of these States—that she has guaranteed them against all attempts to plant the institutions of Europe upon them—that she has aided these States in their struggles for freedom by the most substantial sympathy—surely the wish for more equal and intimate commercial intercourse can not be attributed to any desire to invade their territory or restrict their rights.

In addition to this review of commercial relations and this recognition of reduced and reciprocal duties, your memorialists would respectfully recommend the establishment of New Orleans as

A POSTAL CENTRE

for the receipt and distribution of all mail matter passing between the United States, Mexico, Central and the west coast of South America and Australia. We have now a system connecting New Orleans by 3000 miles of rail with all the principal cities of the Union. A postal ocean steam service would connect New York with the city of Mexico via New Orleans in less than six days, with Panama in less than nine. The capitals of the republics of the United States and Mexico can be brought within five days of each other. Forty years ago the mail time between Washington City and New Orleans was twenty-five days.

Congress now pays for mail service by ocean steamers from New York to Vera Cruz and Panama. These voyages are respectively 2500 and 2700 miles. They traverse coasts and seas dangerous from reefs and hurricanes. They cost in appropriations and postages certainly $200,000 per annum. The government now pays at the rate of $300 per mile for a double daily mail service by rail from New York, St. Louis, Chicago, Cincinnati and Louisville to New Orleans. If the Mexican and Central American mails were placed on these railroads their delivery at New Orleans would cost no more than the present mail service. The saving of time, risk and cost effected by substituting the time and distance from New Orleans to Vera Cruz, Panama and Havana for the present cost and time schedules from New York to those ports, are too obvious to justify specifications.

Your memorialists commend to your honorable authorities the commercial condition of this, the great and natural outport and entrepot of more than half the territory and population of the Union. They appeal for specific relief in the matters first stated in this paper, and they respectfully ask such other and proper exercise of your influence as the great interests alluded to are entitled to at your hands.

Respectfully submitted.
JOHN M. SANDIDGE,
Chairman of Committee.

FORT ST. PHILIP CANAL.

Memorial of the New Orleans Chamber of Commerce in Favor of the Fort St. Philip Canal.

To the Senators and Representatives in the Congress of the United States, Mayors and Councillors, Boards of Trade, Governors and Legislatures in the States tributary to the Mississippi river:

We, the undersigned committee on obstructions at the mouth and channels of the Mississippi river, appointed by the Chamber of Commerce of New Orleans, beg leave to call your attention to the history of the Fort St. Philip canal, begging your cooperation.

Dr. Cartwright, one of our most distinguished hydrographers, states positively that the bars at the mouth of the Mississippi river have not increased, as it is generally believed, but have remained the same for 140 years.

Mr. Benjamin Buisson, State Engineer of Louisiana in 1832, suggested the idea of avoiding the bars of the Mississippi by a canal from Fort St. Philip to a deep water point in the Gulf off the Island of Breton. After a careful survey he reported to the Legislature the plan was feasible. On this report the Legislature of Louisiana passed a resolution requesting our Senators and Representatives in Congress to urge an early estimate and survey of the same by competent officers.

This resolution was accompanied by a memorial of the Chamber of Commerce of New Orleans, and so far met approval that a survey was ordered from the War Department in 1837. From this order L. Poole, United States engineer, says: It is my opinion that an artificial cut offers a fairer prospect of certain results than any other plan that has been spoken of, of opening the Mississippi to ships of the largest class. A lock at the junction of the river will prevent the deposit of mud in the canal, and the jetties at the sea may be so placed as to form a perfect artificial bastion or breakwater.

Captain Talcott, United States engineer, in his reports for 1838, and Professor Forshey's measurements of 1851 and 1852 show that the deposit of alluvion only advances seaward at the rate of one mile in fifteen years, or 350 feet annually.

The first work done on the passes was by Captain Talcott, United States engineer, in 1839, by order of the War Department, but circumstances were so unfavorable that he obtained no result. In one stormy night twice as much mud was thrown into the bar as had been taken away.

In 1852 the United States let a contract to the Towboat Association, which kept a channel eighteen feet deep and a mile and a quarter long, by using harrows. A storm, after their contract and efforts ceased, filled the same up to it former normal depth of fifteen feet.

In 1856 the United States let a contract to Craig & Righter, but all to no effect, by the incessant but silent workings of the forces which caused the formation of the bars, and the contract had to be abandoned.

In Breton Island sound into the gulf and sea there is not a rock, reef or islet. The depths vary in the mean line ninety to thirty-four feet. The lighthouse on Breton island and that on the pier of the canal will point out the entrance to the latter. There will therefore be no necessity for pilots; no port will ever have an easier and more direct access.

Mr. Frederick Wilkinson, Deputy Surveyor General of Louisiana, says the project of a ship canal is a feasible matter, and from the depth of water stated now to exist in the Gulf of Mexico, into which the canal is to open (thirty-four feet), is highly commendable.

Captain A. H. Bowman, United States engineer, reports that in his opinion "the only practical plan for securing a permanent ship channel for vessels of the first class to New Orleans is to cut a canal from some point on the Mississippi above its mouth to some one of the arms of the Gulf which approaches nearest the river."

Captain W. A. Chase, United States engineer, says "the construction of a ship canal on the plan indicated by Major Buisson should be resorted to."

Mr. Benjamin Buisson, civil engineer, in a letter dated New Orleans, September 30, 1870, says: "I surveyed the coast of the Gulf from above Fort St. Philip down to the passes of the river, and found by observation and sounding there no deposit of the Mississippi mud was made on that coast or by the Gulf stream east of the passes, but found the sediment all went to the westward by the action of the Gulf stream and the current of the Mississippi.

"In the year 1840 I went with Commodore Rousseau, in command of the United States corvette, to make a reconnoissance of the aforesaid coast, and came to anchor near the shore, five miles below Fort St. Philip, in Breton Island pass. I found five to eight and ten fathoms water out the pass, and I have no doubt a ship canal, with thirty feet of water, can be built there; and from my experience I am satisfied no deposit will ever be made at the outward end of the canal to form any bar."

Captain C. W. Howell, topographers, United States Army, in a letter dated New Orleans, September 25, 1870, says regarding the Fort St. Philip canal: "The subject was brought officially to my notice by the Engineer Department last July, and on the twelfth of August I was able to report the project 'apparently practicable, and its realization of the greatest moment to the commerce of the Mississippi.'"

The commercial conventions at Cincinnati in 1870, Baltimore in 1871, and in New York in 1872, all unanimously passed resolutions recommending the general government to aid and build this great national canal. A copy of these resolutions, with a memorial from each convention, was sent to the President of the United States.

The lands tributary to the Mississippi river exceeds 750,000 square miles. The population of this area is little less than 17,000,000.

UNITED STATES ENGINEER'S OFFICE, }
New Orleans, September 2, 1872. }

President of New Orleans Chamber of Commerce:

SIR—The survey directed by Congress has been completed, and the construction of the canal ascertained to be feasible.

Plans for lock, guard locks, entrance to river and jetties extending into "Breton Island Pass" partially completed, and a report to be submitted to Congress at its next session is being prepared.

The plan adopted is for a canal twenty-seven feet deep, two hundred feet wide at the bottom throughout the trunk, with a guard lock near the gulf and a lock eighty feet wide and four hundred feet long at the river. An estimate of the probable cost is not yet completed, but enough has been done to show that the work will not cost far from $6,000,000.

Very respectfully, your obedient servant,
C. H. HOWELL,
Captain of Engineers, United States Army.

L. J. HIGBY,
J. S. COPES,
F. A. HABER,
C. G. FORSHEY,
A. MOULTON,
Committee on Obstructions.

Stationery, Fuel, Etc., for the State.

A bill was before the House yesterday to organize a commission for the purchase of books, fuel, stationery, etc., for the use of the State. Mr. Benham, of Carroll, was earnestly in favor of the proposition, evidently satisfied that the bill did not authorize as big a job as all the little ones aimed at aggregate. He spoke as follows:

Mr. Speaker—This is one of the reform measures that should not fail to be passed by this General Assembly. This bill does not propose to diminish the supply of stationary, books, fuel, or other articles for the different departments of State. What it does propose to do is to procure the same articles, of a better quality, and at an annual saving to the State of not less than $40,000.

This bill is also in the interest of system, as well as a good business measure. If we pass this bill the stationary suckers, who have fattened upon these sales made to the hundreds of irresponsible parties, buying these articles in the name of the State, and receiving a thousand per cent profit therefor, will find their occupation gone. By the terms of this bill the Governor, Auditor and Secretary of State are constituted a board of commissioners, and are required to ascertain annually whatever is needed in these lines, and they are required to purchase the same, after due advertisement, of the lowest responsible bidders. These articles are to be kept in the office of the Secretary of State, and all servants of the State are required to supply their wants at this depot, receipting for what they get. The Secretary of State is required to keep a detailed account of the articles received and disbursed, as well as their cost, and to publish the same in his annual report to the General Assembly.

This bill is similar in its provisions to the laws which already exist on this subject in nearly every State in this Union, as well as in the United States government. As will be seen at a glance, this bill strikes at an evil. It closes one of the leaks in our State treasury. It is the small leaks in your State treasury—the illegitimate demands—that keeps your treasury dry of funds for the legitimate demands. If we make this law, we will save the State at least $40,000 annually. I can not believe there is a member on this floor who will vote against this measure. I ask members to recall their oft repeated pledges of reform during the campaign which elected this General Assembly, and then say for themselves if they can vote against this reform measure.

If the pledges we made in this regard were a sham and a fraud, we should vote no on this bill, and all kindred measures of reform. If, on the contrary, we meant what we said, and if we still intend to make good our pledges, we will vote yes on this bill. As a Legislature, we have grave duties before us. In our hands is a State without money, and without credit, and that, too, with a tax of twenty-one and a half mills. As the matter now stands, with the Democratic members (with one or two exceptions) at Odd Fellows' Hall, the Republican party must alone bear the responsibility of this body. If we show ourselves capable of enacting wise and wholsome laws, we will have the conscious feeling ourselves of having done our duty; we will have strengthened our party, we will have served our constituencies, as we all pledged them we would serve them, and, above all, we will have served our poor, sick, impoverished State. The finances of Louisiana can not remain as they now are; they will either improve or grow worse. If we legislate wisely, they will improve; if the contrary, they will grow worse; and in either case the credit or blame will belong to the Republican party. Not only the eyes of our respective constituencies are upon us, but the eyes of the whole nation point this way. Our troubles in this State have brought us prominently before the American people. It is known that we are sitting without a Democratic minority in our midst. We can not say, then, to our constituencies, nor to the nation, when one session is passed, if wise legislation does not prevail, that it was owing to factious Democratic opposition; and if we are accused of being a corrupt body, as past Legislatures in this State have been, with more or less justice, accused, we can not say, as they have justly said, "The Democrats set us the example." No, Mr. Speaker, every act of this General Assembly will either mark a mile stone of weal or woe in the history of this State; they will also either put a feather in the Republican cap or drive a nail in its coffin.

It is for the acts of this Legislature to say whether our State shall commence an era of prosperity, or whether it shall continue to stagnate and finally fall under the fearful financial load now resting upon its shoulders, just as it is for this Legislature to say, by the record it shall make, whether the Republican party shall remain dominant in this State, as it is in the nation, or whether it shall die, stabbed to the heart by us, its leaders. We can, by our acts during this session, justify the stand which the national government has taken in our behalf, and but for that stand, how few here would to-day be occupying seats on this floor. We can by our acts during this session, satisfy the people of this country, that the confidence of the general government in us, was not misplaced. We can, if we will, so legislate in the interest of the taxpayer, and of the whole people, as to silence the voice of all opposition, thus putting into the hands of the State a new lease of prosperity, and, at the same time, giving our party a new lease of power. Thanks to the long-continued struggles made through the blood and treasure of this country by the national Republican party, it is a source of just pride, wherever civilization exists, to be known as a citizen of the United States.

Let it be the effort of this Republican Legislature to do its full share toward placing Louisiana on the high road to prosperity, so that in time it will come to be a matter of pride, to be known as a Louisiana Republican, as it is now a source of pride to be known as a national Republican. But some one says "you are making an awful fuss over a little stationery and fuel bill!" What if the passage of this bill would save the State $40,000 a year? What is $40,000 a year to a great State like Louisiana? She can stand it; besides you are cutting off the perquisites of this one and that one, and his office will not be worth over five or ten thousand a year if you cut off his perquisites. "You are depriving the party of its patronage," says another. "This measure is a reflection upon the integrity of this or that servant of the State," says still another. To all of which I answer, whenever we can find a single leak in our State treasury, be it great or small, we should legislate to stop it. Forty thousand dollars is a tolerable large leak, and I am foolish enough to believe if we succeed in doing our part toward stopping this leak to-day, it will be as fair an average day's work as we will accomplish during one session.

The State can not stand a forty thousand dollar leak, or even a much smaller one, without suffering thereby. A single leak like this would not break us, but if we allow this one to pass we will allow others to pass also, and it is the aggregate prodigacy that has produced the present impoverished condition of our treasury, and it will be the aggregate savings that will restore it, if it is to be restored. I do not believe in perquisites, and no State can prosper that tolerates them any more than an individual can who employs men at a fixed salary in his business, and then allows them to purchase this and that article for their own individual use, and pay for them out of his money drawer.

Perquisites means stealing, and stealing means bankruptcy. We need not go beyond the borders of this State to establish the truth of these assertions.

There is scarcely an office here that has not its recognized perquisites, and in many cases the salary is a mere bagatelle compared with what is called the perquisites. It used to be the boast of Governor Warmoth that he had as much patronage as the President; that patronage was largely in this item of perquisites, and that patronage has impoverished your treasury and placed a tax of twenty-one and a half mills on the property of your State. Every dollar of these perquisites comes either directly or indirectly out of the pocket of the taxpayer. The whole burden of financial legislation, in the past few years, seems to have been in the direction of fat offices. How to legislate so as to increase the flow of money into individual pockets appears to have been the order of the day.

The State has had to foot the bills, and hence it is she now stands shivering on the brink of ruin, and hence it is we are compelled to sit here, day after day, as a Legislature, without receiving our per diem and mileage, and with no prospect before us of receiving our pay. Your enormous stationery and fuel claims, which abuse this bill aims to cure, has helped to put the State where she now is. This bill does not attack the integrity of any servant of the State; it attacks the loose and unbusinesslike system. That abuses have been committed, in the name of stationery and fuel, by dishonest and unfaithful agents of the State, no one will deny. What has been done is past. This bill aims to cure these evils for the future, and if we will pass it it will be one step in the right direction, to be followed, let us hope, by others, until all our financial evils are cured.

THE COURTS.

United States Circuit Court.

William Golding vs. city of New Orleans. The plaintiff in this suit files his petition setting forth that he "is a subject of the Queen of Great Britain, and an alien, residing and doing business in the city of New Orleans and State of Louisiana;" that the city is indebted to him to the sum of $25,000, with interest at five per cent from the fourteenth of April, 1871, on a contract for furnishing cast-iron bridges and crossing-plates for St. Charles avenue, from Tivoli circle to Toledano street; that some of his work between Felicity street and Tivoli circle was rejected by the city; and that petitioner has been prevented from realizing a profit of $20,000 on that section of the work, etc.

On the twenty-fourth of January, petitioner called for a special jury of mechanics, and the marshal was directed to summon the same.

The case was called for trial on Monday, and the following persons were called and sworn to try the issue: John Hennessey, James D. Edwards, George Cronan, Newell Tilton, James Meagher, Israel Reeves, John Ward, Thomas Peterson, William P. Smith, D. McKendrick, Henry Haller, Alexander Smith. The case was heard that day and the day following, when, after hearing argument of counsel and receiving a charge from the bench, Mr. Edwards was appointed foreman, and the jury retired. At half-past three o'clock Tuesday afternoon the jury had failed to agree upon a verdict. They were instructed to be kept in charge by the marshal, and, in case of agreement, they were to deliver to the clerk of the court a sealed verdict, and be present next morning at the opening and reading of the same in court. This order having been complied with, the verdict was opened and read yesterday morning, and was as follows: "Verdict in favor of the plaintiff and against the defendant for the sum of $100, with costs."

E. J. Gay vs. William Boykin.—Ordered that W. P. Harper, civil sheriff for the parish of Orleans, show cause on the eighth instant, at 11 A M., why he should not deliver to the United States marshal the thirteen hogsheads of sugar unlawfully taken possession of by him, and why he should not be punished for a contempt of court for interfering with and obstructing the process of this court on the grounds filed.

Amelia G. Mahan, guardian, vs. Louisiana Paper Manufacturing Company.—The jurors were sworn in this case. It was ordered that the call in warranty made by defendant of Messrs. Pemberton & Todd be stricken from the order and disallowed. Thereupon the trial proceeded, and was continued until to-day.

Sisters of Charity of St. Vincent de Paul vs. Octave Anfoux.—Widow Eliza Plete Macias was subrogated to the rights and privileges of plaintiffs in the judgment obtained in this case, with full power to proceed thereon as she may be advised.

Superior District Court.

State ex rel. Peter A. Pradet vs. Edward Thomas.—A suit for the possession of the Second District inspectorship of weights and measures. Judgment for plaintiff by default confirmed.

Second District Court—Judgment of Non-Suit.

In the succession of Arthur McArthur, Judge Tissot has decided that Jane Elizabeth McArthur, wife of Melchor Winteler, Margaret Susanah McArthur, wife of Charles T. Duplessis, and Caroline McArthur, wife of Anatole Briengne, have failed to make out their case, and that judgment should be rendered against them of non-suit.

Plaintiffs applied to be recognized as the heirs of their father, Arthur McArthur, and of their late sister, Julia A. Folger McArthur, in the proportion of one-fourth to each of the said decedents' respective estate. They alleged that in the mortuary proceedings had before this court in the succession of their late father, Indiana, Arthur, Mary Ann Darling, and Alexander McArthur were represented through error as being also heirs of said deceased. They therefore prayed to be recognized as the only heirs of the late Arthur McArthur and of Julia Ann Folger McArthur.

The successions of Henry A. Denis, Jean Dutriche, Mrs. T. C. Collins have been opened in this court.

Fifth District Court.

The motion filed in the case of B. J. West vs. Mrs. C. Nesley and the city of New Orleans came up yesterday. Mr. R. H. Marr took occasion to address a political harangue to the judge on the bench and a few attorneys and attaches of the court who were present. He had spoken about an hour, and gave no signs of weakening. When he proposed to take up each count of his motion and consider them seriatim, the judge interfered, and informed him that the court could not very well take cognizance of the first four articles of the motion. We append the judge's remarks:

Benjamin J. West vs. Mrs. C. Nesley and the city of New Orleans.—In this cause, in the matter of the motion of R. H. Marr, Esq., attorney for plaintiff, for a rule to show cause why this court should not proceed to hear and determine the said case, the following assigned reason of counsel being considered irrelevant to the question at issue, to wit: whether the act creating the Superior Court of the parish of Orleans is constitutional, and also improper as denying the extensive authority of the executive and legislative branches of the government of Louisiana—a government which was fully recognized by that of the United States, and which this court is in duty bound to recognize, to wit:

1. Because the body and assemblage of persons pretending to be the General Assembly of the State of Louisiana, by which said pretended act purports to have been enacted, was not the General Assembly of the State of Louisiana, and had no legal power or authority to enact the said pretended act.

2. Because P. B. S. Pinchback, who approved and signed the said pretended act as Lieutenant Governor and acting Governor of Louisiana, was not, at the time he so approved and signed the said pretended act—that is, on the eleventh day of December, 1872—Lieutenant Governor of the State of Louisiana, and was without legal warrant or authority to approve and sign the said pretended act

That the exercise by the said Pinchback of the powers and functions of Lieutenant Governor and of Acting Governor of Louisiana was an unauthorized and illegal assumption of power, without legal force or effect.

It is ordered by the court ex officio that said assigned grounds be stricken out of the said motion, because this court is without authority to pass upon the question thus collaterally raised, and because this court is in duty bound to recognize all the departments and branches of the State government, as they have been recognized by the government of the United States; and lastly, because the only question before this court is as to the constitutionality of act No. 2, approved December 11, 1872, which is creative of the Superior Court of the parish of Orleans, and which defines its jurisdiction.

Judge Cullom has rendered the following interesting decisision:

This is the case of Louis Lalaurie vs. C. S. Sauvinet, civil sheriff, and Victor Gerodias, No. 3728 of the docket of this court, injunction taken to stay the execution of the judgment in case No. 3694 of the docket of this court.

The court has had the same under advisement, and after a thorough examination and analysis of the evidence given by the twenty-one witnesses in the case, pro and con, came to the conclusion that the injunction should be dissolved. In arriving at this conclusion the court has endeavored to form its judgment without reference to the testimony of either plaintiff or defendant.

It has not been able to do so entirely, having found some facts that were known only to the parties concerned, and which were not elicited from any one else. As to those facts the court has taken the evidence of both parties. There are some peculiarities in the testimony of Mr. Lalaurie, wherein he confessed that he had received from Mr. Gerodias at different times the sum of about $19,000 in the aggregate, which he says he was permitted to use for the purchase of stocks as he thought proper, and that when he deemed fit he had the right to pledge, sell and dispose of these shares *ad placitum*, without the consent of Mr. Gerodias. He says at the same time that he always informed Mr. Gerodias of what he was doing. These facts Mr. Gerodias flatly contradicts, so that as to the merits of the case, based upon other facts, they stand *statu quo*, as if neither had testified. There is, however, one thing necessary; it is as to the responsibility of the basis of the business which Mr. Lalaurie testifies was agreed upon between the parties. He stated that he was to make these investments, in the manner above indicated, governed only by his own ideas—not liable to any will of Mr. Gerodias—with the chance to make profits and incurring no risk as to losses. That is the latitude in rights given by a person in possession of large sums of money to another entrusted with their investment, is rather more than can be covered by the credulity of a judicial tribunal charged with the investigation of the rights between the parties.

Lord Bacon, in his essay on human understanding, has defined probability to be a likeness of truth: that in order to appear probable, matters must be in conformity with the experienced observations of men in relation to such matters. It is contrary to our ideas of business or experience in these transactions that such large sums of money should be placed in the hands of irresponsible persons, with no power to control its investment, and incurring obligations to divide any possible profits. There is a bare possibility that such a thing might have been set that such might have been the understanding between the parties, but the possibility is not always pregnant with the probability.

Lord Macaulay, in his essay on Bacon, furnishes us with a few examples, among which I recollect the case of Bonner, who incurred and suffered all the indignity and infamy of persecution to illustrate his theory that the blood of the martyr was the seed of the church. It is possible he did this to prove the enormities of popery. Lord Jeffries may have condemned certain parties to be hung and others to be burned to the stake, merely for the purpose of showing to the Parliament of Great Britain the necessity for enacting laws to restrict or limit the royal prerogative. Furtrel, who was charged with having committed a murder at the gaming table, may have committed the crime simply for the purpose of teaching youth the dangers attendant upon gaming. Fontleroy may have forged powers of attorney for the purpose of prompting Parliament to enact additional laws to prevent such crimes. But Lord Macaulay says, in all these instances, that while all these things may have been possible, they were highly improbable, and that any man who would have received them as probable would deserve to be sent to St. Luke's.

In this case it may be possible that such power was given to Mr. Lalaurie, but it would require a stretch of credulity to opine that it was probable, and that if he did, following the reasoning of Lord Macaulay, it would be but fair to presume that Mr. Gerodias would be entitled to a position in Jackson, Louisiana.

Mr. Lalaurie makes statements which, were they entitled to the weight of uncontradicted facts, would compel the court to accept and act upon two palpable absurdities. The first is, that Mr. Geredias placed about $19,000 in his hands which he had carte blanche to invest in stocks, which he might pledge, sell, and otherwise dispose of to suit himself, without the knowledge or consent of Mr. Gerodias—taking no risk upon himself, and at the same time entitled to commissions and a full share of the profits, and all without limitation as to the time of its duration. The second is, that he, Lalaurie, would give a mortgage for $16,000 upon his individual property, which imparted a confession of judgment to secure debts due to Benjamin S. Harrison by Gerodias, when he (Lalaurie) did not owe a cent of that amount to either Harrison or Gerodias; and that in both cases all ordinary precautions common among business men were unintentionally left unregarded. Such friendship—such unguarded confidence might embellish classic stories such as that of Damon and Pythias, but can never be made the basis of judicial arbitrament.

The court, in arriving at its conclusion, has placed a great deal of stress upon the testimony of Mr. Ben Harrison, who gave a calm, dispassionate account of the whole transaction relating to the mortgage securing the payment of the two notes of $8000 each; and also on the testimony of Mr. Tom Janney, who gave his statement with great clearness, and of one or two other persons having no interest in the transaction at all. In relation to the denial of Mr. Delassus of the conversation that took place on the evening of the trial of the case the first day, at the office of Mr. Jo Hernandez, with respect to the testimony of Mr. Harrison, the court is inclined to disregard Mr. Delassus' evidence on that point, and particularly as it stands contradicted by the testimony of Mr. Harrison and Mr. Janney. It appears that Mr. Harrisson did state to Mr. Delassus the substance of the testimony which he had given in court, and that the latter then and there stated that it was so nearly correct, according to his impressions of it, that he had but to copy it and he would sign it as his evidence in the case. This conversation is detailed with minuteness, and the certainty of its substance affixed by the evidence of both Mr. Harrison and Mr. Janney.

The court is satisfied from all the evidence on record and from the testimony of the disinterested parties and more particularly from that of Mr. Harrison and Mr. Rousseau, Mr. Harrison being the witness of the plaintiff, J. W. Lalaurie, that Mr. Lalaurie, throughout all these transactions, acted merely as the agent to invest Mr. Gerodias' funds, and that he had no such latitudinal power as he stated he had in reference to the right to pledge and dispose of the stocks in which these funds were invested.

For these reasons the court dissolves the injunction, and awards damages of twenty per cent and $500 attorney's fee to the defendant, Mrs. Gerodias.

The digest of the evidence is placed on the record for the purpose of enabling counsel pro and con to see upon what evidence the court arrived at its conclusions, and is prepared for the benefit of counsel.

LAWS OF THE STATE OF LOUISIANA

PUBLISHED BY AUTHORITY.

AN ACT No. 19.

To amend sections seven, eight and seventy of an act entitled an act to regulate the conduct and maintain the freedom and purity of elections, to prescribe the mode of making the returns thereof, to provide for the election of returning officers and defining their powers and duties, to prescribe the mode of entering upon the rolls of the Senate and House of Representatives, and to enforce article one hundred and three of the constitution.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That so much of section seven of act No. 81, of the session of 1872, approved November 20, 1872, be and is hereby amended so as to read as follows:

At each parish in the State, except the parishes of Orleans and Jefferson, is hereby fixed as an election precinct, and the assistant supervisor of registration shall direct what number of polls shall be established in each precinct, shall fix the place of holding the election and appoint commissioners of election for each poll or voting place.

For the parish of Orleans each ward in the city of New Orleans shall constitute an election precinct, and the State supervisor of registration shall fix the voting places in each precinct, and appoint commissioners to hold the election for each voting place.

For the parish of Jefferson there shall be two election precincts, one on each side of the Mississippi river, the precinct on each side embracing that portion of the parish on the same side of the river.

The assistant supervisor of registration for the parish of Jefferson shall fix the number of voting places and appoint the commissioners of election; provided, that there shall be at least one voting precinct for every parish, except the parish of Orleans, for each justice of the peace ward.

SEC. 2. Be it further enacted, etc., That section eight of act No. 81 of the session of 1872, approved twentieth of November, 1872, be re-enacted as follows:

That the election at voting or polling places shall be presided over by three commissioners of election, residents of the parish for at least twelve months next preceding the day of election, who shall be appointed as provided for in section one of this act.

SEC. 3. Be it further enacted, etc., That any person duly appointed commissioner of election, and duly notified by the State supervisor of registration, or any assistant supervisor of registration, who shall fail to attend the election and perform the duties of commissioner as herein provided, except in case of sickness, shall forfeit the sum of one hundred dollars to the parish, to be recovered before any court of competent jurisdiction at suit of the parish, to be prosecuted by the district attorney, or district attorney pro tem pore, who are hereby directed to proceed to collect such fines when it shall be brought to their knowledge.

SEC. 4 Be it further enacted, etc., That all laws or parts of laws in conflict with this act be and the same are hereby repealed, and that this act shall take effect from and after its passage.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.

A true copy:
WILLIAM WEEKS,
Assistant Secretary of State.

Received at the office of the Secretary of State February 4, 1873.

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.

WILLIAM WEEKS,
Assistant Secretary of State.

AN ACT No. 17.

To fix the terms of the Third Judicial District Court of the State of Louisiana.

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 Courts of the Third Judicial District of the State of Louisiana shall commence as follows, viz:

Parish of St. Mary—Jury terms, first Monday of April and first Monday of October.

Parish of Iberia—Jury terms, first Monday of March and the first Monday of September.

Parish of St. Martin—Jury terms, first Monday of May and the first Monday of November.

SEC. 2. Be it further enacted, etc., That all laws or parts of laws in conflict with this act, and all laws or parts of laws on the same subject, be and are hereby repealed, and that this act shall take effect from and after its passage.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.
Approved February 4, 1873.
(Signed) WILLIAM P. KELLOGG,
Governor of the State of Louisiana.

A true copy:
WILLIAM WEEKS,
Assistant Secretary of State.

AN ACT No. 18.

To change and fix the time of holding the sessions of the District Court for the parish of Lafayette, in the Sixteenth Judicial District.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State Louisiana in General Assembly convened, That the time for holding the sessions of the District Court in and for the parish of Lafayette, in the Sixteenth Judicial District be and are hereby fixed for the third Monday of April and October of each year.

SEC. 2. Be it further enacted, etc., That this act shall take effect from and after its passage, and all laws conflicting therewith be and are hereby repealed.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.
Approved February 4, 1873.
(Signed) WILLIAM P. KELLOGG,
Governor of the State of Louisiana.

A true copy:
WILLIAM WEEKS,
Assistant Secretary of State.

AN ACT No. 13.

To amend an act making an appropriation to pay the mileage and per diem of the members, salaries of officers and employes and the contingent expenses of the extra session convened and commenced December 9, 1872, of the Third General Assembly of the State of Louisiana, by appropriating and providing for the sale of seventy-five thousand dollars of legislative warrants, and declaring the manner of disbursing the amount realized by the sale of said warrants or for their redemption, approved January 10, 1873.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the term of ten days within which the Auditor of Public Accounts and the State Treasurer are to invite sealed proposals for the purchase of warrants issued under said act be extended to twenty days from the passage of said act, and that this act take effect from and after its passage.

(Signed) CHARLES W. LOWELL,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.
Approved January 29, 1873.
(Signed) WILLIAM P. KELLOGG,
Governor of the State of Louisiana.

A true copy:
WILLIAM WEEKS,
Assistant Secretary of State.

INSURANCE.

SUN MUTUAL INSURANCE COMPANY.

Paid Up Capital $500,000.

ANNUAL STATEMENT FOR THE YEAR 1872.

Amount of premiums for the year		$251,909 56
Less unterminated risks and return premiums		54 946 26
Net earned premiums		$196,[illegible] 30
Losses paid, reserve fund, reinsurances and unadjusted losses	$[illegible] 10	
General expenses, taxes and int. on capital...$27,522 37		
Less discount and interest	$[illegible] 79—23,[illegible] 78	—136,[illegible] 08
Net profit		$60,384 22

Assets of the Company estimated at their market values—

Bonds, stocks and scrips	$500,[illegible] 04
Loans on pledge and mortgage	[illegible] 715 26
Bills receivable and premiums due	[illegible] 15
Cash on hand	74,714 11
Total	$658,[illegible] 59

The Board of Directors have declared a cash dividend of THIRTY PER CENT on the net earned participating premiums for the year ending December 31, 1872, payable on the twenty-seventh January, 1873; also, to stockholders TEN PER CENT upon the capital stock, payable on demand.

JAMES I. DAY, President.
THOMAS ANDERSON, Secretary.

Parties desiring insurance are requested to notice that this OLD and RELIABLE Company is issuing policies on fire, river and marine risks upon the most favorable terms; and, under their AMENDED CHARTER, insurers will, if they so elect, receive dividends of their proportions of profits of the Company in cash, without the requirements of becoming a stockholder, or a cash rebate of fifteen per cent in lieu thereof, and they are assured of the utmost liberality in the adjustment and settlement of losses.

Office No. 61 Camp street, corner of Commercial alley, New Orleans. ja26 3m Su We Sa

LAFAYETTE FIRE INSURANCE COMPANY OF NEW ORLEANS.

Third Annual Statement—1872.

In conformity with the requirements of their charter, the Company publish the following statement of their business for the year ending December 31, 1872:

Amount of premiums on fire risks during the year, including unearned premiums of 1871		$60,[illegible]
Less unearned premiums of 1872	$14,662 25	
Rebate of 15 per cent	[illegible]	
Return premiums	[illegible]	
Reinsurances	1,[illegible]	—2[illegible]
Net earned premiums		$[illegible]
Add interest	$7,[illegible]	
Profit and loss	[illegible]	—7,[illegible]
		$[illegible]
Fire losses paid	$7,[illegible]	
Licenses and taxes	[illegible]	
Salaries	[illegible]	
Rent	[illegible]	
Advertisements, stationery and miscellaneous expenses	[illegible]	—[illegible]
Net profit		$[illegible]

ASSETS.

Stock notes	$[illegible]
Cash	[illegible]
Loans on first mortgage	[illegible]
Loans on collaterals	[illegible]
Hibernia Bank stock	[illegible]
New Orleans Mutual Insurance Association stock	[illegible]
City seven and ten per cent bonds	[illegible]
Furniture, fixtures, etc	[illegible]
Premiums in course of collection	[illegible]
Total	$[illegible]

The above statement is a true and correct transcript from the books of the company.

KASPAR AUCH, President.
LOUIS MATHIS, Secretary.

STATE OF LOUISIANA, }
Parish of Orleans, City of New Orleans. }

Sworn to and subscribed before me this twenty-second day of January, 1873.
JOHN DALY,
Sixth Justice of the Peace, Parish of Orleans.

At a meeting of the Board of Directors held on the twentieth day of January, 1873, it was resolved to declare a dividend of SIXTY EIGHT PER CENT on amount paid in, to be credited on stock notes.
KASPAR AUCH, President.
LOUIS MATHIS, Secretary.

At the annual election, held on the thirteenth instant, the following gentlemen were elected directors, to serve during the ensuing year:

Kasper Auch,	J. H. Keller,
O. F. Theisman,	Henry Bensel, Jr.,
Philipp Braun,	John Schelang,
Gustave Benz,	William Mehle,
Louis [illegible],	J. F. Kranz,
R. H. Schene,	[illegible] Juhat,
Robert Jackson,	R. H. Burton,
Henry Rice,	J. R. Cotton,
Louis Mathis,	Dr. S. S. Wood
John Purcell,	J. H. Norton,
W. R. Fish,	J. M. Demarest,
E. R. Chevalley,	Daniel Holdernis,
Henry Bliermann.	

And at a meeting of the Board, held on the twentieth instant, KASPAR AUCH, Esq., was unanimously re-elected President; ROBERT JACKSON, Esq., Vice President; and JOHN PURCELL, Esq., Inspector.
LOUIS MATHIS, Secretary.
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INSURANCE.

NEW ORLEANS MUTUAL INSURANCE COMPANY.

Corner of Canal and Camp streets.

THIRTEENTH ANNUAL STATEMENT.

In conformity with their charter, the Company publish the following statement:

Premiums during the year ending December 31, 1872:

On fire		$[illegible] 23
On marine		[illegible] 23
On river		26,[illegible] 92
Total premiums		$[illegible]
Less premiums unearned December 31, 1872	$118,185 69	
Return premiums	6,328 93	—124,513 62
Net earned premiums		$[illegible]
Reinsurances	$12,722 45	
Losses on fire......$63,111 32		
Losses on marine.. 55,452 04		
Losses on river..... 2,259 46	—125,022 12	
Losses on fire unadjusted and adjusted, but not due	20,[illegible] 19	
Reserve as required by charter, two and a half per cent on above losses	3,625 55	
Expenses, taxes less interest account	14,[illegible] 14	—175,[illegible]
Profit		$[illegible]

The company has the following assets:

Bonds, city and other, cash value	$[illegible]
Pledge and mortgage notes	[illegible]
Stocks, gas and other, cash value	[illegible]
Bills receivable for premiums	[illegible]
Premiums in course of collection	[illegible]
Cash on hand	[illegible]
Cash in hands of London bankers	[illegible]
Branch office	[illegible]
Suspense account	2,120 19
Property corner Canal and Camp, cash value	[illegible]
Property, Dumaine street, cash value	[illegible]
Total	$[illegible]

LIABILITIES.

Capital stock		$[illegible]
Reserved for unearned premium		118,185 69
Reserved for claims unsettled		[illegible]
Dividend to stockholders	$50,000 00	
Dividend assured	51,952 64	—[illegible]
Surplus over and above liabilities		15,[illegible] 00
Total		$[illegible]

The above statement is a true and correct transcript from the books of the company.
J. TUYES, President.
J. W. HINCKS, Secretary.

Sworn to and subscribed before me this tenth day of January, A. D. 1873.
P. CHARLES CUVELLIER,
Notary Public.

At a meeting of the Board of Directors held January 9, 1873, it was resolved to declare the following cash dividends on the net earned premiums for the year ending December 31, 1872, payable on the third Monday of January, 1873, as follows:
20 per cent on fire premiums.
50 per cent on river premiums.
It was also resolved to pay a cash dividend of ten per cent to the stockholders on and after the first Monday in February, 1873.

Directors.

George Urquhart,	M. Payre,
E. T. Dugazon,	Placide Forstall,
G. W. Babcock,	Aug. Reichard,
T. Bailly Blanchard,	E. Miltenberger,
A. Schreiber,	W. B. Schmidt,
Charles Lafitte,	J. Tuyes.

ja16 1m

AMERICAN MUTUAL INSURANCE ASSOCIATION OF NEW ORLEANS,

25............Commercial Place............25

Between Camp and St. Charles streets.

CAPITAL, $500,000.
(Strictly Fire.)

Parties desirous of insurance have the privilege of making two half yearly payments, and are entitled to an equal portion of the dividends at the end of the year, or in lieu thereof to the usual rebate. Insures against fire risks exclusively, in city or country, at the lowest rates of premiums.

D. LEUBRIE, President.
O. S. ASCH,
Superintendent of Agencies.
B. MEYER, Secretary.

TRUSTEES:

F. Beling,	P. S. Andersen,
S. E. Loeb,	P. Blaise,
H. Weber,	C. Jacob,
F. Robbert,	M. Azconi,
R. Broderick,	H. Marquar,
William Hippel,	L. Schorman,
H. Hafner,	J. B. Verges,
W. Leonard,	J. Buckley,
M. Pokorny,	F. Hollander,
A. S. Cutler,	Hugo Redwitz.

de29 3m

MERCHANTS' MUTUAL INSURANCE COMPANY OF NEW ORLEANS,

104............Canal Street............104

EIGHTEENTH ANNUAL STATEMENT.

In conformity with the requirements of their Charter, the company publish the following statement:

Premiums received during the year ending May 31, 1872, including unearned premiums of previous year—

On fire risks	$[illegible]
On marine risks	[illegible]
On river risks	[illegible]
Total premiums	$[illegible] 74
Less unearned premiums	[illegible] 00
Net earned premiums May 31, 1872	$[illegible]
Losses paid—	
On fire risks	$[illegible]
On marine risks	[illegible]
On river risks	[illegible]
	$430,724 56
Taxes	21,[illegible]
Reinsurances, return premiums, and profit and loss.	56,416 59
Total	$508,678 65
Deduct interest, less expenses	17,556 53—[illegible] 12
Profits	$[illegible]

The company have the following assets:

Real estate	$121,665 11
City bonds	[illegible]
Bank and railroad stocks	52,[illegible]
Notes secured by mortgage	44[illegible]
Notes secured by pledge	[illegible]
Bills receivable	[illegible]
Premiums in course of collection	72,418 95
State bonds	[illegible]
Scrip and stock of other companies	[illegible]
Stock of Vallette Dry Dock Company	[illegible]
Stock of Levee Steam Cotton Press	[illegible]
Stock of Marine Dry Dock and Ship Yard Company	4,000 00
Harbor Protection Company	[illegible]
Mortgage bonds Turners' Association	2,000 00
Mortgage bonds Odd Fellows' Hall	5,000 00
Cash on hand	261,[illegible] 83
New Orleans, Florida and Havana Steamship Company	7,000 00
St. Louis Hotel Association	5,000 00
Total assets	$1,461,241 29

The above statement is a just, true and correct transcript from the books of the company.
PAUL FOURCHY, President.
G. W. NOTT, Secretary.

STATE OF LOUISIANA, }
Parish of Orleans, }
City of New Orleans. }

Sworn to and subscribed before me this tenth day of June, 1872.
P. CHS. CUVELLIER, Notary Public.

At a meeting of the Board of Directors held on the tenth day of June, 1872, it was resolved to pay A CASH DIVIDEND OF THIRTY PER CENT on the net earned participating premiums for the year ending May 31, 1872, payable on the third Monday of July next. Also, to pay on demand [illegible] per cent interest to the scrip holders upon conversion of their scrip into capital stock, [illegible] of the company.

Directors.

P. MASPERO,	DAVID [illegible],
S. Z. RELF,	L. F. GENERES,
M. PUIG,	P. FOURCHY,
P. S. WILTZ,	J. J. FERNANDEZ,
D. A. CHAFFRAIX,	J. M. ALLEN,
	CHARLES LAFITTE.

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TEUTONIA INSURANCE COMPANY,

No. 111 Gravier Street.

Insures against
Fire, Marine and River Risks
At the Lowest Tariff Rates.

A. EIMER BADER, President.
CHAS. ENGSTFELD, Vice President.
GEORGE STROMEYER, Secretary.

First Fiscal Year.

Premiums received	$[illegible]
Fire, marine and river losses paid	$[illegible]
Reinsurances, rebates, expenses, etc.	[illegible]
	[illegible]
Total amount of assets	$[illegible]

DECLARED:
Interest on capital paid in, ten per cent.
Dividend on capital paid in, eight per cent.
Dividend on premiums paid, sixteen per cent.

TRUSTEES.

Henry Abraham,	S. Katz,
Louis Schneider,	A. Eimer Bader,
Joseph Keller,	W. B. Schmidt,
N. A. Baumgarden,	Theodore Lilienthal,
R. Sieg,	E. F. Del Bondio,
C. H. Miller,	Isaac Scherck,
H. Eicke,	S. L. Nauts,
J. N. Schwartz	Charles Engstfeld,
H. Pohlman,	Louis Schwartz,
M. Frank,	F. Rickert,
X. Weisenbach,	H. R. Gogreve,
F. Roder,	J. R. Wedgmann

oc23 11m