New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

AUCTION SALES THIS DAY.

BY CONSTABLE JOHN HURLEY, at 12 o'clock, on Common, between Basin and Franklin streets, plastic slate for roofing.

BY PLACIDE J. SPEAR, at 5 o'clock, on St. Louis, between Villere and Robertson streets, household furniture.

BY SHERIFF HARPER, at 12 o'clock, at Merchants and Auctioneers' Exchange, the square bounded by Nayades, Webster and Benjamin streets and Henry Clay avenue; twelve lots, with buildings, on Monroe, Franklin, Sociales and Ptolemy streets.

Local Intelligence.

CONTRIBUTION BY SCHOOL GIRLS.—Mrs. N. M. Taylor, principal of the McDonogh public school, yesterday informed Mayor Wiltz that some of the girls under her charge desired to contribute their mite to the relief fund for the overflowed sufferers, and suggested that some of the scholars would visit the City Hall to-day to personally offer their money. Of course Mayor Wiltz returned a message that he would gladly receive the delegation at eleven o'clock this morning. It must be remembered that this money was accumulated by the girls, who intended to devote it to defray the expenses of a picnic, but when they considered how much it would benefit unfortunate people, they determined to sacrifice a little pleasure for charity's sake.

Fancy cashmerette suits, $6 50. Brown Cheviot suits, $7 50; and furnishing goods at cost, at Garthwaite, Lewis & Miller's, No. 100 Common street.

JEALOUSY, PISTOL, HUMAN BLOOD.—About five years ago Thomas Feraday and his wife separated, but as there are children they were almost constantly aware, to a certain extent, of each other's condition and residence. For some time past Mrs. Feraday and her daughter Laura have resided at No. 230 Calliope street, between Baronne and Dryades. Feraday called at that house yesterday morning about eleven o'clock and on entering found Mrs. Feraday engaged in some domestic duty, in company with her daughter and Mrs. Pohlman. He said to the wife that he desired to see her alone, to which she would not consent, telling him that if he had anything to say that she would listen to it there. He thereupon advanced to near where she was sitting, drew a revolver, placed the end of it close to her face and fired. The bullet entered near her nose, but did not seem to affect her greatly, as she arose and ran, going toward the street, crying out for help. While she was running he fired once more, the bullet wounding her in the back. It is said he fired a third shot, but the officer who took his pistol says that two loads are discharged. Feraday then passed over to Carondelet street, intending, he says, to surrender himself at the police station, but an officer arrested and took him to the first precinct station.

The wound in the unfortunate woman's face is serious, and so close was the revolver that the powder is plainly seen under her skin. The wound in her back is worst, and she suffers acute pain from it.

This is the result of too busy tongues, ever ready to repeat scandal or anything that will lead to it.

THE ROUX INQUEST.—Coroner Grayer yesterday resumed the inquest in the case of Paul Roux. Corporal Bergeron testified that on the morning of the murder he met Mr. D. M. C. Hughes down town, who informed him that he had just met Officer Taylor, and told him that Paul had been killed. The corporal inquired who had done the deed, at the same time, in a jest, said: "Perhaps you did it." Hughes responded: "Do I look like a man who would do such a thing?" Bergeron denies that he said to any one that Hughes confessed to having killed Roux. Although an affidavit was made against Hughes two days ago he has not been arrested, and so this mysterious case stands at present. All theories regarding it have so far fallen, because no single circumstance points to any person as the assassin.

BRIEF MENTION.—Paul Chotin was pulled because he gathered flowers in Jackson square without permission.

Mary Jefferson knows where the Second Municipal Court is located, for she has been there, on invitation of Marie Signed, who is emphatic in stating that the Jefferson is a deceiver, in having obtained goods by pretenses that were fraudulent.

M. Denier, a Gretnaite, swears that J. Buckner is an embezzler.

When no trump is turned clubs will take spades. William Casey and Henry Wallace tried the trick of taking spades from Esau Taylor. A policeman, with a handful of clubs, passed along and took the tricksters in.

Albert Berkley, Peter Brown and Humphrey Euster did not agree to go to sea in a tub, so they went to see—and feel—a skiff, which is claimed by William Scott. The triplets were arrested.

Notwithstanding the uncommon fall of rain, fifling all the unused suburban fields, industrious hands gather great quantities of dewberries, which are sold for blackberries.

There are no developments in the Claren assassination, and it seems likely that the case will soon pass into oblivion.

Information reaches us that Captain A. F. Jeanfreau, of the lower coast packet Empire, has not abandoned his connection with that boat. His absence is temporary merely and occasioned by ill-health. His lower coast friends can be assured that he has not deserted them.

FISHERMEN ROLL UP THEIR LINES.—River water in the lake has driven all the good fish out or killed them. Bayou Barataria is overflowed by water from crevasses below here. At the Rigolets and Miller's Bayou, crevasse water is rushing through, and has driven fish out into purer places. About the only chance now for fishermen, is in Lake Borgne, Mississippi Sound, or the clear streams in St. Tammany parish. It is not likely that Pontchartrain will be clear enough this season for much sport.

WISHED TO DIE.—Joseph Meunier, nineteen years old, yesterday morning attempted to commit suicide at the City Park, by shooting himself in his left breast. The wound is not dangerous, but is painful. After he was arrested a vial of laudanum was found on him. The reason for this rash act is not known.

BURGLARY.—Edward Marshall was arrested yesterday on the complaint of William Thompson, who says that accused is a night burglar.

The wholesale stock of spring clothing at cost for cash, at Garthwaite, Lewis & Miller's, No. 100 Common street.

WHAT DID THEY WANT?—Yesterday morning when Attorney General Field reached his office he found it in strange disorder. The door of the main room, which is guarded by strong locks, had been broken open. The desks in that room had been pried open, all the papers in that office handled and the majority of them thrown on the floor. Every pigeonhole was thoroughly ransacked and all drawers turned over and over. The confusion worse confounded in which Colonel Field found his papers made it impossible for him to tell whether he had lost any valuable or not. But something had been searched for and the conclusion, from appearances, is that it was not found, for the burglars, opening the windows of the main office, went on the gallery to get into the more secluded and more strongly guarded sanctum. They took from the window the shutter and then tried to open it. Former experiences taught Colonel Field not to rely merely on ordinary fastenings, and the windows were secured by nails on a plan of his own.

The thieves failed to get it open; but the effort to get in was plain. The thieves were bold and deliberate in all their operations, and were in search of something for which they were willing to risk everything, for the reason that, they worked in the light, the gas being found in full blaze in the morning.

Colonel Field is naturally indignant. Just across the street are officers detailed to watch public offices. They should, by order of the Superintendent, visit every office frequently during their tour of duty. The time consumed in the burglary of Wednesday night must, judging by the number of papers strewn upon the floor, evidently examined by gaslight, have occupied several hours. The hour must have been late, and after the long search with their doings, the light they required should have exposed them to the officers who are in charge; that they should have been enabled, without detection, to go upon the gallery and try and break into the other office, and then escape without interruption, is something surprising.

Nearly two years ago Colonel Field's office, in Commercial alley, was broken into in the same manner, and the same pranks played, but nothing was discovered gone. Possibly nothing is lost now, but some one evidently desires to deprive Attorney General Field of some paper.

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.
Augusta	76	S. W.	Cloudy.
Baltimore	52	N. W.	Cloudy.
Cairo	54	N. W.	Clear.
Cincinnati	51	N. W.	Cloudy.
Davenport	43	N. W.	Fair.
Dubuque	46	.....	Clear.
Fort Sully	53	S. W.	Cloudy.
Galveston	60	N.	Cloudy.
Indianola	57	N.	Cloudy.
Keokuk	44	N.	Fair.
Key West	89	N. E.	Fair.
Lacrosse	39	S. W.	Clear.
Leavenworth	57	N. W.	Clear.
Louisville	50	W.	Clearing.
Memphis	52	N. W.	Cloudy.
Montgomery	61	N. W.	Fair.
Mobile	63	N.	Fair.
New York	42	N. E.	Light rain.
Nashville	50	N. W.	Cloudy.
New Orleans	76	N.	Clear.
Omaha	48	W.	Clear.
Pittsburg	47	N. W.	Cloudy.
Shreveport	54	N.	Cloudy.
Savannah	82	S. W.	Cloudy.
St. Louis	46	N.	Fair.
St. Paul	43	S. W.	Clear.
Vicksburg	52	W.	Cloudy.

THE RIVERS.

Stations.	Rise, inches.	Fall, inches.	Above low water mark. Ft.	In.
Cairo	7	..	46	4
Cincinnati	..	26	34	0
Davenport	..	5	5	7
Dubuque	2	..	7	10
Helena	2	..	42	7
Keokuk	1	..	6	0
Leavenworth	8	..	1	7
Lacrosse	..	..	6	10
Louisville	..	9	15	8
Memphis	1	..	34	7
Nashville	..	14	46	0
New Orleans	..	4	..	..
Pittsburg	..	22	11	0
Shreveport	8	..	28	4
St. Louis	11	..	18	9
St. Paul	..	..	8	10
Vicksburg	1	..	45	2
Yankton	5	..	10	0

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

Our Reputation Abroad.

We hope some of our local journals, who have done so much recently to bring disgrace and discredit upon this city and State by publishing exaggerated views of political matters, will endeavor to make some amends by answering the following severe article from the New York *Times*. When we come to that stage that even friendly neighbors speak ill of us we have but one of two courses to take, either to reform suddenly and truly, or say we don't care what people think of us and give up all hope of trying to be good:

CIVILIZATION IN NEW ORLEANS.

To those who believe with us that dueling is not only a crime against the laws, but an outrage on civilization, it is disheartening to find that there is one section of the country where it is still as firmly intrenched as ever in public opinion. Elsewhere it sometimes occurs that duelists are not at all, or only inadequately punished. But where there is not a show at least of enforcing the law, public opinion for the most part pronounces strongly and openly against a practice which, if too often tolerated, is no longer approved. In New Orleans the duelist appears to reign as firmly as in the days when men murdered their dearest friends before breakfast for a joke, and when not to have fought at least one duel was to be decidly *mauvais ton*. Nothing could be more painfully significant than the fact than in the two fatal duels recently fought near the Crescent City two of the four principals were lawyers and the third an editor. That is to say, three of the four were men most concerned by every obligation, professional and moral, to uphold the law they have thus been foremost in trampling under foot.

The encounter on the fourth of April, in which Mr. Alfred B. Phillips, an attorney at law, put a bullet through the head of Mr. Aristide Bienvenu, a stock broker, at Bay St. Louis, had even a sillier and more unworthy origin than is usual in affairs of honor. Mr. Bienvenu had been sued for payment of a millinery bill, and Mr. Phillips was plaintiff's counsel. At the close of the trial, Mrs. Bienvenu appears to have forgotten herself so far as to address uncomplimentary remarks to Mr. Phillips. The latter contented himself with observing that he would require her husband to restrain such exhibitions of temper, and did so insist upon meeting Mr. Bienvenu a moment after. But that gentleman not only accepted his wife's opinions as his own, but added still more unflattering commentaries, whereupon the indignant lawyer knocked him down, and next morning had the still further and peculiarly legal satisfaction of blowing his brains out.

The details of the combat make us doubt if New Orleans is really a Christian community in the last quarter of the nineteenth century. The weapons chosen were double-barreled shotguns, and a numerous company attended the combatants to the field, among them Bienvenu's brother. While the preliminaries were arranging, "the spectators broke into groups, or lounged about under the trees," considerately repressing their impatience. Bienvenu was shot dead at the first fire, and "his brother appeared to be greatly affected, and burst into tears." The rest of the company must have regarded him with unusual curiosity. To them it was simply a spectacle that was over, and the most important thing was to catch the next train. As an evidence that the ill-breeding of emotion was exceptional, we read that Mr. Phillips and his seconds before retiring "exchanged the usual civilities and expressions of regret," and then the dead man and the slayer went quietly back to the city by the same train.

Horrible as the whole proceeding was, there is something almost grotesque in its incidents. The uncouth and barbarous weapons, the interested crowd, the weeping brother, the exchange of civilities, most of all the strongly asserted companionship on the return trip, give this duel a flavor of simple savagery which is quite unique. The duel of former times, the duel which civilization has rendered almost obsolete, was at least not a matter of public exhibition, and the duelist who had slain his man paid law at least the homage of pretending to run away. But the New Orleans duelist knows no such weakness. He goes to the ground attended by half the town, and, after doing his little job of murder to universal satisfaction, washes his hands, goes quietly back to his office, and sits down to his business. If this is civilization, where shall we look for barbarism?

The worst of it is that it is not clear where these things will end. Phillips plainly can not be punished in a community which made no attempt to punish Rhett, and the escape of Phillips will be an additional precedent for a renewal of his crime. We congratulate public opinion in New Orleans on the prospect before it.

The escape of Rochefort is duly commented upon by the London papers. The *News* remarks: "The chances are that we shall soon find him nearing English shores; and it is highly probable that he may occupy some observatory in or about London, from which he will be able to cast his eye over European politics, and more particularly those of France.

It costs $50 to take a Maine salmon out of season.

LAWS OF THE STATE OF LOUISIANA

PUBLISHED BY AUTHORITY.

No. 132.

AN ACT

To extend the limits of the town of Franklin, in the parish of St. Mary, State of Louisiana, and to incorporate the same; and to repeal all acts incorporating the town of Franklin and all acts amendatory and supplemental thereto.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the resident citizens of the United States within the following limits, to wit: All that tract or parcel of land in the parish of St. Mary beginning at a point on the west bank of the Bayou Teche east of B. C. Smith's store, thence to the line between B. C. Smith and T. J. Foster, out said line to T. J. Foster's property, thence in a westward direction for a stake at twenty acres from the beginning point on said Bayou Teche, thence north and northeast at the distance of twenty acres from the Bayou Teche until W. P. Allen's south line between said W. P. Allen's and Mrs. Simeon Smith is reached, thence east on said line to Runk's line, and thence down the line dividing Runk from the Franklin cemetery to the Bayou Teche, thence down the Bayou Teche to the point of beginning. That a survey shall be made by the parish surveyor, and the lines established by him, under the supervision of the mayor of said town of Franklin, and the same be filed and recorded in the recorder's office of the parish of St. Mary, shall be and they are hereby created and made a corporation and body politic, with perpetual succession, by the name and style of the mayor and common council of the town of Franklin, and by that name they and their successors shall forever be in law capable of sueing and being sued, of defending and being defended, of impleading and being impleaded, in all courts or places of law, in all suits and actions, and may have an official seal, and alter the same at pleasure, and shall have the right of purchasing, receiving by donation, holding and conveying any estate, real or personal, for the use and benefit of said town, and for raising money by tax for the improvement of the town and maintenance of the police thereof, and for the purpose of making and keeping up the streets and roads in the same, and for all improvements that may be deemed necessary.

SEC. 2. Be it further enacted, etc., That the present mayor and council, appointed by his Excellency William Pitt Kellogg, Governor of the State of Louisiana, shall continue and remain in office until the second Monday in January, 1876, and until their successors are elected, commissioned and qualified according to this charter.

SEC. 3. Be it further enacted, etc., That the mayor and council shall by resolution order an election for one mayor and five councilmen thirty days previous to said general election in 1876 for State officers, and every four years thereafter, which shall be promulgated by publication in the official journal of the town of Franklin or by notices posted in six public and conspicuous places of said town, and said resolution shall be certified to by the mayor and secretary and a copy of the same delivered to the registrar of the parish of St. Mary thirty days previous to said election.

SEC. 4. Be it further enacted, etc., That the registrar of the parish of St. Mary shall proceed to register all voters within the corporate limits of the town of Franklin in accordance with the registration and election laws of the State of Louisiana; that he shall appoint two commissioners to hold said election, and that he shall provide and keep a separate book for the registration of all votes for the town of Franklin, and that all votes cast for mayor and councilmen shall be numbered and deposited by said commissioners in a ballot-box to be provided by said registrar, which box and all books, stationery, etc., necessary for the registration and conducting all municipal elections in the said town shall be paid by order of the mayor and council out of the treasury of the said town of Franklin.

SEC. 5. Be it further enacted, etc., That all votes deposited as aforesaid shall be counted and returned by the registrar in the same manner as in all State and parochial election; that said returns shall be canvassed by the returning board of elections in conformity with the laws of the State as to other election returns, and the persons receiving the highest number of votes for mayor and council shall be commissioned by the Governor within thirty days.

SEC. 6. Be it further enacted, etc., That the mayor and council shall, before entering upon the discharge of the duties of their respective offices, be commissioned by the Governor of the State of Louisiana, and shall take the oath prescribed by article one hundred of the constitution of the State, which oath shall be filed in the office of the Secretary of State, and shall remain in office for the term of five years and until their successors are elected, commissioned and qualified according to this charter.

SEC. 7. Be it further enacted, etc., That the mayor and council for the said town of Franklin shall pass all laws and ordinances for said town subject to the approval or veto of the mayor, but such a veto shall not negative any law or ordinance which may be passed by a majority of the councilmen over said veto. That the said mayor and council shall have power to pass all by-laws and ordinances, to remove nuisances, to prevent the introduction of contagious or infectious diseases within said town, to establish night watches and patrols and to erect lamps, and generally to pass any by-laws and ordinances in writing not inconsistent with the constitution and the laws of the United States and of the State, as they may deem proper, in relation to the public markets, streets, highways, alleys and sidewalks, and to disorderly conduct and nuisances generally, or anything whatever that may relate to the good government of said town; to impose such fines and penalties for a breach of their by-laws and ordinances as they may think proper, not to exceed the sum of one hundred dollars recoverable before any court of competent jurisdiction; to cause all vagrants, idle or disorderly persons, all persons of evil life or ill fame, and all such persons as have no visible means of support to give security for their good behavior for a reasonable time, and in case of their inability or refusal to give security, to cause them to work in the streets for a limited time, not exceeding four calendar months, unless such security sooner be given, and to close up places of business on Sundays.

SEC. 8. Be it further enacted, etc., That the mayor and council shall have power of levying an ad valorem tax upon all the lands, houses, stores and movable property within the limits of the said corporation; provided the said tax shall not exceed at any time one dollar on the hundred; to tax billiard tables, taverns, mercantile houses, apothecary shops, groceries, coffeehouses and shops retailing spirituous liquors, drays, carts, trades and professions, fruit stands, oyster saloons, restaurants, eating houses, lodging houses, livery stables, bowling alleys, peddlers and hawkers, lumber yards, coal yards, butchers and contractors, shows, menageries, museums and theatres.

SEC. 9. Be it further enacted, etc., That the mayor shall, within twenty days after the promulgation of this charter, and within twenty days after he is elected, commissioned and qualified, appoint with the advice and consent of the councilmen, suitable persons to fill the offices of secretary, treasurer, assessor, collector and marshal of said corporation, who shall hold their offices during the pleasure of the mayor, and the mayor shall fill any vacancy in said offices within twenty days after it occurs, in the same manner as above provided, and any two or more of said offices may be consolidated except the treasurer and collector, and assessor and collector, which shall not be conferred on the same person.

SEC. 10. Be it further enacted, etc., That from and after the passage of this act the powers of the police jury of the parish of St. Mary shall cease and terminate within said town of Franklin, and the mayor and council shall possess all the powers within said corporation, which have heretofore been exercised by the police jury, and that the inhabitants and property within the corporate limits of said town of Franklin, shall be exempt from the payment of all parish taxes.

SEC. 11. Be it further enacted, etc., That when the owner or owners of any landed or immovable property in said town of Franklin shall refuse or fail to pay any taxes assessed thereon due to said town, the mayor and council shall have a special privilege for the amount of said tax with eight per cent per annum interest thereon, which privilege shall take rank in preference to any other mortgage, privilege or judgment except rights existing in favor of the State; provided that an account of the same, duly certified by the mayor, be recorded in the office of the recorder of mortgages of the parish of St. Mary whose duty it is hereby made to record the same.

SEC. 12. Be it further enacted, etc., That said mayor and council shall furthermore have power to prevent the stoppage or obstruction of the streets, roads and other public places of the town, and to adopt and carry into effect such regulations for that purpose, and for the removal of all obstructions or nuisances of whatever nature, and for the organization of police, as may not be inconsistent with the laws of this State and of the United States, and also to impose such fines and penalties for the breach of said regulation as they may think proper; provided the said fines shall not exceed one hundred dollars or imprisonment thirty days for each and every contravention. The said mayor and council shall have the entire control of the banks of Bayou Teche within the limits of the original charter granted the said town of Franklin, so far as may be consistent with the laws of the State of Louisiana and of the United States on that subject, and the said mayor and council shall have power generally to make all ordinances and regulations such as they may deem proper and necessary for the police and health of said town.

SEC. 13. Be it further enacted, etc., That the mayor of said town of Franklin shall be ex-officio justice of the peace within the limits of said town, and as such shall have power to suppress all rants, riots, unlawful assemblies, affrays and tumults, all breaches of the peace committed within the limits of said town; to that end he shall appoint from time to time, with the consent of the council, a number of policemen, as they may think proper, and the policemen so appointed shall be subject to his control in the discharge of their duties. He shall have power to hear charges against offenders; to issue warrants and summonses; to examine the informant, accused and witnesses in the same manner as a committing magistrate may do; to order the arrest of vagrants and disorderly persons; to grant bail for appearance; to commit for trial; to bind over to keep the peace, and generally to do all acts for the preservation of the peace in said town which a committing magistrate can or may do. He shall try and punish all offenses against the town of Frankin according to the laws and ordinances of said town, and for that purpose he shall hold his court at least once in each month, or oftener if necessary, and for all such services he shall be entitled to charge and receive the same fees as are allowed by law to justices of the peace, and he shall receive such salary not less than one hundred nor more than six hundred dollars annually, which salary shall be fixed by the council of said town; that the said mayor shall preside over all meetings of the council, but shall have a casting vote only.

SEC. 14. Be it further enacted, etc., That all costs in criminal cases originating within the limits of said town, due to any justice of the peace or any peace officer, shall be paid out of the treasury of said town; provided the criminal be not able to pay the same out of his or their proper goods and chattels, and is a resident of said town, and no further costs shall be paid.

SEC. 15. Be it further enacted, etc., That in all cases where the mayor of the town of Franklin shall, in accordance with the laws and ordinances of said town, impose any fine, or penalty, or forfeiture, upon any person for the breach thereof, and such person shall not comply with and perform the judgments imposing penalties and forfeiture, he shall be committed to the town lockup until discharged by law, not to exceed the term of thirty days for any one offense, the time to be determined by the mayor of said town trying the offense; provided, that any one against whom such penalty of imprisonment may be imposed shall be entitled, if he or she requests it, to labor for the benefit of said town, at such labor as may be selected by said mayor or by the street commissioner, or the officer performing his duties under the direction of the mayor for a time not exceeding the term of imprisonment adjudged.

SEC. 16. Be it further enacted, etc., That the treasurer, collector and marshal, before entering upon the discharge of their duties, shall give a bond and such security, for the faithful performance of their duties, as the mayor and council may deem sufficient; and the said collector shall, within such time as shall be provided for by the ordinances and by-laws of the corporation, after the receipt of his warrant for collecting any tax which may have been levied and ordered to be collected, collect the same and pay it into the hands of the treasurer, and for that purpose shall have the same power and means to enforce the payment of corporation taxes, fines and penalties imposed by the mayor and council, whether on resident or non-resident, as are given to State tax collectors by laws of this State to enforce the payment of the State taxes, fines and penalties.

SEC. 17. Be it further enacted, etc., That it shall be the duty of the treasurer of said town to receive and receipt for all moneys paid over to him by the collector, to keep an account of all receipts and expenditures in a well bound book, and to submit the same to the mayor and council when required by them to do so, and no money shall be paid out by him except upon the warrant of the mayor.

SEC. 18. Be it further enacted, etc., That it shall be the duty of the secretary to record in a well bound book, to be kept by him for that purpose, all the proceedings, by-laws, ordinances, etc., enacted by the mayor and councilmen, and to cause the same to be promulgated by pasting them up in two or more public places in said town, or by publishing in any official newspaper published in said town.

SEC. 19. Be it further enacted, etc., That it shall be the duty of the marshal to attend the meetings of the mayor and councilmen, and do and perform all such duties as may be required of him by the mayor and council, and all other duties imposed by law upon constables in this State, for which he shall receive the same fees and emoluments as are allowed by law to them.

SEC. 20. Be it further enacted, etc., That the treasurer, secretary, assessor and marshal before entering upon the duties of their respective offices shall take the same oath as is prescribed in the section of this act for the mayor and councilmen.

SEC. 21. Be it further enacted, etc., That it shall be the duty of the assessor to assess the property, etc., on which said mayor and council are authorized to impose taxes, and make out a list of movable and immovable, landed and other property in said town subject to said town tax, together with the amount of the tax assessed thereon, pursuant to the ordinances of said town, and the said assessor shall exercise the same powers as by law are vested in the assessors of State taxes.

SEC. 22. Be it further enacted, etc., That the mayor and council shall create such offices not provided for in this act as may be necessary for the good government of the said town of Frankin.

SEC. 23. Be it further enacted, etc., That should there occur vacancies in the offices of mayor and councilmen by death or otherwise, said vacancies shall be filled by the appointment by the Governor of the State of Louisiana, and all other vacancies shall be filled by the appointment of the mayor of the town, subject to the approval of the council.

SEC. 24. Be it further enacted, etc., That all acts amendatory and supplemental acts to incorporate the town of Franklin, in the parish of St. Mary, 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.

Approved April 22, 1874.
WILLIAM P. KELLOGG,
Governor of the State of Louisiana.

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

No. 133.

AN ACT

To extend the charter of the Crescent Mutual Insurance Company.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That the following charter of the Crescent Mutual Insurance Company be extended for twenty years from the date of this act:

CHARTER.

ARTICLE I.

This company shall be established in the city of New Orleans, parish of Orleans, State of Louisiana; shall be known and designated by the name of the Crescent Mutual Insurance company. It shall commence its business on or about Monday, the second day of July next, A. D. 1849, and the company shall exist for twenty-five years from the date of this act, unless the affairs shall be sooner liquidated and settled up, as hereinafter provided by article nine of this charter. It shall have a seal, and the device upon the same shall be a crescent with the name of the company upon the margin. The president or secretary of the company shall be the proper officer upon whom to serve citations in all suits against the company.

ARTICLE II.

The objects and purposes of this company are declared to be—

First—To make insurances on dwelling houses, stores and other buildings, household furniture, merchandise and other property against loss or damage by fire.

Second—To make marine insurances upon vessels, freights, steamboats, goods, wares, merchandise, specie, bullion, commissions, profits, bank notes, bills of exchange and other evidences of debt, bottomry and respondentia interests, and to make all and every insurance appertaining to or connected with marine or inland transportation risks.

Third—They may cause themselves to be reinsured against any risks upon which they may have made, or shall make insurance.

ARTICLE III.

The capital stock of this company shall not be less than five hundred thousand dollars, all paid in, and consisting, at the time of the conversion of the scrip into stock, of all the invested and other assets of the company, which were estimated at the close of last fiscal year at six hundred and seventy-eight thousand dollars, with the privilege of increasing the same, in any amount not exceeding three millions of dollars, divided into shares of one hundred dollars each. The whole outstanding certificates of scrip of the company shall be called in, and converted into shares of permanent stock, as follows, viz: The issue of 1860, at the rate of one hundred and ten per one hundred dollars. The issue of 1861, at the rate of one hundred per one hundred dollars. The issue of 1862, at the rate of ninety-five per one hundred dollars. The issue of 1863 at the rate of ninety per one hundred dollars. The issue of 1865 at the rate of ninety per one hundred dollars. The issue of 1866 at the rate of eighty-five per one hundred dollars. The issue of 1867 at the rate of eighty-five per one hundred dollars. The issue of 1868 at the rate of eighty per one hundred dollars. The issue of 1869 at the rate of eighty per one hundred dollars. The issue of 1870 at the rate of eighty per one hundred dollars. The issue of 1871 at the rate of seventy-five per one hundred dollars. The issue of 1872 at the rate of seventy-five per one hundred dollars, divided into shares of one hundred dollars each, bearing interest at the rate of ten per cent per annum, payable quarterly on the second Monday of August, November, February and May of each year, provided, no stock to be issued for less than one hundred dollars, or other than even hundred dollars; persons entitled to a fractional part of a share shall have the privilege of paying the difference in cash and receiving a certificate for a full paid share, otherwise the company may issue a separate certificate stating to what fractional part of a share he may be entitled.

These fractional parts to be ultimately consolidated into full shares by purchase or sale.

The company shall have the power and authority to purchase such fractional parts of shares, or any certificates of outstanding scrip, or any whole paid shares, at such rates as the trustees may direct, and the contingent fund may be used for the payment of the same; provided, the capital stock of the company shall never be reduced below five hundred thousand dollars thereby.

The company may from time to time issue new stock at not less than par in order to increase the capital of the company not exceeding three millions of dollars, by a vote of the majority of the trustees at any meeting of the board called for that purpose. No more or further certificates of scrip except the issue of 1872 shall be issued, but the assured shall hereafter be entitled to receive his dividend in cash in lieu of scrip as heretofore issued. The company may grant to the assured such rebate of premium in lieu of such dividend as may be deemed advisable.

No stockholder shall in any event be made liable for the losses of the company in any larger sum than the amount of stock held by him. Transfers of stock shall only be made on the books of the company on demand of the legal holder thereof and surrender of the certificate.

In addition to the capital stock of the company a contingent fund shall be created, to consist of all profits on investments and of all amounts received from sources other than premiums.

ARTICLE IV.

All the corporate powers of said company shall be exercised by a board of trustees, and such officers and clerks as they may appoint.

The board of trustees shall consist of not less than twelve nor more than thirty-two persons, as may be determined by the majority of the then existing board, seven of whom shall constitute a quorum for the transaction of business, and to be elected on the first Monday in April of each year, at such place in the city of New Orleans as the board of trustees shall designate, of which they shall give at least fourteen days notice in two of the public newspapers printed in said city. The board of trustees shall appoint three stockholders inspectors to preside at such elections, and if any of the said inspectors decline or fail to attend, the president may appoint others to fill such vacancies. The board of trustees thus elected are to take their seats on the first Monday in June next ensuing after their election, and to hold the same one year therefrom, or until others are elected in their stead.

Those persons receiving a plurality of votes shall be considered duly elected. In the event of no election taking place on the day aforesaid, the president shall cause another election to take place within ten days from the said first Monday in April, and give notice of the same by advertisement in one or more of the public newspapers in said city.

The board of trustees shall, at their first meeting, elect a president and vice president, and thereafter annually, who shall, on their election, be ex-officio members of said board of trustees, and they shall hold their office until their successors are elected. The president shall preside at all meetings of the board of trustees and at the meetings of the stockholders of the company, and shall conduct the business of the company generally under the supervision of the trustees.

The vice president shall preside at the meetings aforesaid in the absence of the president, and in his absence shall sign the policies and the checks of the company. The trustees shall fix the compensation of all the officers and the employes of the company.

They may invest the funds of the company from time to time as hereinafter provided for; they shall have power to adopt such by-laws as they may deem necessary and convenient for the government and regulation of the company not inconsistent with this charter, and not contrary to the laws of this State or of the United States, and they shall have power to do all acts necessary to carry out the objects of this corporation, and to fill all vacancies that may occur in their board. No person shall be a trustee of the company who does not at the time of his election, and during his continuance in office, hold in his own name, or in the name of the commercial firm of which he may be a member, at least five shares of the capital stock thereof. Each and every stockholder shall be entitled at elections, either in person or by proxy, to vote on each and every share of the capital stock which he may hold, but not to vote on any stock transferred within three months prior to said election.

ARTICLE V.

It shall be lawful for the trustees to invest the capital stock and other moneys of the company in bonds and mortgages on real estate situated in the parishes of Orleans and Jefferson, to an amount not exceeding one-quarter of the capital stock, and in every case the property shall be worth twice the amount loaned thereon. They may also invest the capital stock and other cash funds of the company in any bonds or stock created by or under the laws of the United States or either of the States of the Union, or corporations chartered thereby, or loan its funds on pledges of any of the aforesaid securities, bonds or stocks, or on the pledge of cotton press receipts, and on other warehouse receipts of produce stored therein. The company may hold real estate to an amount not exceeding one-fourth of the capital stock, and for the purpose of conducting their business therein, but it shall be lawful for the trustees to purchase in addition any property which may be mortgaged to the company at any forced sale of the same, if in their opinion interests of the company would be promoted thereby. They shall have power to dispose of all mortgages obtained by way of security, or of stocks or merchandise pledged for security, or of property conveyed to them in satisfaction of debts due the company or purchased at public sale upon judgments or order of seizure obtained by said company, or of any property, movable or immovable, which may have been abandoned to the company.

The following named persons shall constitute the first board of trustees under this amended charter: Thomas A. Adams, president; Samuel B. Newman, vice president, ex officio; Samuel H. Kennedy, John Phelps, A. G. Ober, A. Thomson, Victor Meyer, Edward J. Gay, C. T. Buddecke, P. H. Foley, E. H. Summers, P. N. Strong, Joseph Bowling, Henry Abraham, who shall hold their seats until the first Monday in June next, A. D. 1873, or until others are elected in their stead.

ARTICLE VII.

The officers of the company, at the expiration of one year from April 30, 1872, and within one month thereafter, and during the month of May of every succeeding year, shall cause an estimate to be made and sworn to by the president or secretary of said company, of the affairs thereof, as near as may be, for the preceding year, including a statement of insurances effected during the period embraced in such estimate, distinguishing between fire, marine and river policies, which estimate shall be conclusive upon all persons entitled to dividends or profits. This annual statement shall show the amount of premiums received on fire, marine and river risks; also amount of premiums on risks not terminated; also amount of losses paid on fire, marine and river insurances, together with an estimate of losses unpaid; also amount of reinsurances, return premiums, general expenses and all other losses, less interest and discount. The balance will show the profit or loss on the business of the year. From the gross profits, as above, shall first be deducted an amount equal to ten per cent on the whole capital stock, which shall be carried to the credit of interest account to secure that amount, as per condition of the certificate of shares issued or to be issued by the company; the balance remaining being the net profits for the year, shall be divided among the persons insuring with the company, pro rata, on the amount of earned premiums by each paid within the year; provided, that no sum less than ten dollars, nor any fractional part of tens of dollars shall be so divided but that such sums shall be carried to the credit of the contingent fund, which fund may be used from time to time to reduce the assets of the company to a real cash value. It is also provided that when the contingent fund shall have accumulated to an amount exceeding three hundred thousand dollars it shall be lawful for the trustees at the close of any fiscal year to declare an extra dividend to the stockholders of said excess, payable in stock or cash not reducing the same below three hundred thousand dollars; and provided further, that in the event of extraordinary losses in any one fiscal year which shall reduce the premium dividend below twenty-five per cent, the surplus of the contingent fund if any over one hundred thousand dollars, or such an amount as may be necessary, may be appropriated to make up such dividend to twenty-five per cent. No dividend shall bear interest, and any dividend unclaimed for the term of three years from the date declared shall be forfeited to the company and carried to the credit of the contingent fund after the publication of the same once a week for four weeks successively in any city paper. Within the month of May, 1873, and every year thereafter, the president shall cause to be made a statement of the affairs of the company, as provided for in section one and two of this article and shall cause the same to be published in at least two of the city newspapers for one month, said statement showing the assets of the company, distinguishing the portion of the same which is in cash and the portion thereof invested in securities, and the nature thereof. This publication shall be made under the oath of the president and secretary, and shall be conclusive upon all parties interested therein.

ARTICLE VIII.

This act shall take effect from and after the thirtieth April, 1872, that being the close of the fiscal year of the company last past, and all interest on scrip shall cease from that date; provided, that interest at the rate of ten per cent per annum be allowed on all stock for which certificates of scrip shall be surrendered, and converted into stock prior to August 1, 1872, and be made payable on the second Monday of said August; and, provided also, that interest on all scrip so converted between August 1 and November 1 shall receive the same rate of interest from August 1, payable on the second Monday in November; and, provided further, that interest as above shall commence on all stock so converted from surrender of scrip on the first day of the quarter in which the conversion shall be made.

ARTICLE IX.

At the expiration of the charter, or sooner if ordered by three-fourths of the stock represented at a general meeting convened for that purpose, the affairs of the company may be liquidated, its debts paid and the balance divided among the stockholders pro rata on the amount of stock held by each, under the charge and superintendence of three commissioners appointed by the board of trustees for that purpose.

ARTICLE X.

This act of incorporation can be altered and amended by the vote of two-thirds of the whole number of trustees and as provided by law.

SEC. 2. 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) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.

Approved April 22,