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LAWS OF THE STATE OF LOUISIANA.

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No. 33.

AN ACT

To incorporate the Lewisburg Wharf Company.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That George A. Hero, A. Whitlock, Andrew Hero, Jr., Gabriel Correjolles, George C. Cenas and William J. Benedict, and their successors and associates, be and they are hereby created a body corporate and politic in law, under the name, style and title of the Lewisburg Wharf Company, and by that name shall have power and authority to have and enjoy succession for the term of thirty years from the date of this act; to contract, sue and be sued in their corporate name; to make and use a corporate seal; to name and appoint such officers and managers, and establish such rules and regulations as their interests may require; to acquire, establish, construct and maintain a wharf for the convenience of travelers, the lading or landing of freight, and for all purposes for which a public wharf may be used, in the waters of the Lake Pontchartrain, and at or near the village of Lewisburg, in the parish of St. Tammany, in this State; to demand and receive toll or wharfage for any and all goods, wares, merchandise, products, or any articles of freight or live stock that may pass over or be landed at said wharf, and said company shall be domiled in the parish of Orleans.

SEC. 2. Be it further enacted, etc., That if any person shall land or pass over said wharf, any goods wares, or merchandize, products, live stock, or other articles of freight, without paying the toll or wharfage that may be established or fixed therefor by said company, he shall be deemed guilty of a misdemeanor, for which, on the complaint of the president of said company, and on conviction thereof by a court of competent jurisdiction, the person so offending shall be fined one hundred dollars for each such offense for the benefit of the school fund of said parish of St. Tammany. Any person destroying or injuring said wharf shall be deemed guilty of a misdemeanor and shall be liable to the same fines and penalties as above stipulated.

SEC. 3. Be it further enacted, etc., That the State of Louisiana shall have the right to use said wharf, free of charge, for the loading or unloading of troops, arms and accoutrements of war.

SEC. 4. Be it further enacted, etc., That said company shall have the right to make such by-laws, rules and regulations as they may deem necessary, not inconsistent with the general laws of this State, and to amend the same as may be required.

SEC. 5. And be it further enacted, etc., That said act shall take effect, and be in full force from and after the date of its passage.

(Signed) E. D. ESTILETTE,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.
Approved March 2, 1876.
(Signed) WM. P. KELLOGG,
Governor of the State of Louisiana.
A true copy:
P. G. DESLONDE,
Secretary of State.

No. 36.

AN ACT

To extend the corporate limits of the town of Homer, parish of Claiborne; to amend and re-enact sections one, two, three, four, five, seven, eight, nine, ten and eleven, and to repeal sections six and twelve of act No. 111, approved March 13, 1850, entitled an act to incorporate the town of Homer, in the parish of Claiborne, and to repeal all other acts and parts of acts incompatible with the provisions of this act.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the first section of act No. 111, to incorporate the town of Homer, approved March 13, 1850, be amended and re-enacted so as to read as follows: That the tract of land lying in a square, the center of which is the northwest corner of the southeast quarter of the southeast quarter of section twenty-three, in township twenty-one north, of range seven west, in the parish of Claiborne, and extending one mile on each side, embracing the town of Homer, be enlarged as follows: By commencing at the southeast corner of said tract of land, and running thence due east six hundred yards, thence due north nine hundred yards, thence due west six hundred yards to the original corporation line, which addition, with the original tract of land, shall continue to constitute the corporate territory of the town of Homer, and all the inhabitants residing within said limits shall continue to constitute a municipal corporation and body politic, by the name and style of the mayor and selectmen of the town of Homer, and shall by that name be capable of suing and being sued, and contracting and being contracted with, of purchasing or receiving by donation, holding and conveying any estate, real or personal, for the use and benefit of said town, and shall have all the powers necessary and proper for carrying out the purposes for which the corporation was originally created. They shall have power of raising money by taxation for the purposes of said corporation on the real and personal property situated therein; and also, of raising money for corporation purposes by a license tax on all trades, occupations and professions of every kind and description, upon which the State levies a license tax, provided that the tax upon the property shall not exceed one per cent on the assessed value thereof, and the license tax on trades and occupations and professions shall not exceed the license tax levied by the State.

SEC. 2. Be it further enacted, etc., That the second section of said act No. 111 shall be amended and re-enacted so as to read as follows: That all citizens who are entitled to vote for members of the General Assembly of Claiborne parish, and who have been bona fide residents of said corporation for thirty days immediately preceeding any election held therein, shall be entitled to vote at all elections by the people of said corporation, for their municipal officers; that the election for mayor and five selectmen of said town shall be held annually on the first Monday in May, by three commissioners, qualified voters of said town, appointed by the mayor and selectmen of said town for that purpose, who shall also hold elections to fill vacancies, and who shall take an oath before the mayor, clerk of the district court, or any justice of the peace, to faithfully discharge their duties as commissioners of election. That on election days they shall open the polls at eight o'clock A. M., and close at four o'clock P. M., at which time they shall make up a statement of the returns under oath, and deliver the same to the mayor and selectmen, who shall declare the result, and the officers thus declared elected shall enter upon the discharge of their duties as such within ten days thereafter by taking the oath of office before the clerk of the district court, mayor, or any justice of the peace, which oath shall be filed by the clerk of the board of mayor and selectmen. When the office of mayor becomes vacant, it shall be the duty of the selectmen, or any one of them, to order an election to fill said vacancy, after giving ten days' notice thereof by public advertisement, said election to be conducted in the same manner as the annual election, except that the returns shall be made to the selectmen, who shall declare the result. That when a vacancy occurs in the office of any selectman, the mayor shall order an election to fill said vacancy by giving ten days' notice thereof by public advertisement, which shall be conducted in the same manner, except that the returns shall be made to the mayor. That should a vacany occur in all the offices, any justice in and for ward number seven shall order an election by giving ten days' notice thereof as required above, and shall appoint the commissioners for holding the same, who shall make their returns to the justice ordering the election, who shall declare the result.

SEC. 3. Be it further enacted, etc., That section three of said act No. 111 be amended and re-enacted so as to read as follows: That there shall be five selectmen for said town, and no more, whose term of office shall continue one year, and until their successors are elected and qualified, whose compensation shall be fixed by an ordinance of the mayor and selectmen, which shall not exceed twenty-five dollars per annum for each member of the board; they shall pass all laws and ordinances for the police and government of said town. They shall elect a town marshal, annually, at their first regular meeting after each annual election, and fix his salary, which shall not exceed five hundred dollars per annum, as marshal, and such fees of office as may be allowed by the mayor and selectmen. Any three of said selectmen, together with the mayor, shall constitute a quorum for the transaction of any business.

SEC. 4. Be it further enacted, etc., That section four of said act No. 111, is amended and re enacted so as to read as follows: That in case of the absence of the mayor or any selectman of said town, or refusal to act for more than one month, the office shall be vacant and filled in accordance with the provisions of this act.

SEC. 5. Be it further enacted, etc., That section five of said act No. 111 is amended and re-enacted so as to read as follows: That the mayor of said town be and is hereby invested with judicial power, which shall only extend to the cognizance of all cases arising under the police regulations of said town of Homer, with authority to try summarily all parties who may be brought before him for violation of the police regulations of said town, and his authority shall extend to fine and imprisonment of parties convicted before him, the fine in no case to exceed fifty dollars for each offense, and the imprisonment not to exceed ten days; and it shall be the duty of the mayor to see that all the regulations and ordinances of said town are faithfully executed; to preside at all meetings of the selectmen, but he shall have no vote except in case of a tie; that said mayor and selectmen shall have power to pass any by-laws for their own government and the government of the officers of said town, and any regulations and ordinances in writing not inconsistent with the constitution and laws of the United States or of this State, as they may deem proper in relation to the public markets, streets, alleys, highways and sidewalks, and to disorderly houses and drinking saloons, and nuisances generally; to establish facilities for protection against fire to town, watch and police; to levy and collect taxes and licenses, and to determine the mode of assessing and collecting the same; to impose such fines and penalties for a breach of their by-laws, regulations and ordinances as they think proper, subject to the limitations of this act. The mayor of said town shall receive an annual salary, the amount to be fixed by the mayor and selectmen of said town, which shall not exceed five hundred dollars, the amount of which shall not be increased or diminished during his term of office.

SEC. 6. Be it further enacted, etc., That section six of said act No. 111 be and is hereby repealed.

SEC. 7. Be it further enacted, etc., That section seven of said act No. 111 is hereby amended and re-enacted so as to read as follows: That the mayor and selectmen of said town shall at the first regular meeting after each annual election elect by ballot suitable persons to fill the offices of treasurer and clerk, assessor, collector and marshal of said corporation, who shall hold their offices for one year, unless sooner removed for cause, at which election the mayor shall be entitled to vote and the said mayor and selectmen shall fill any vacancy in said offices within ten days after it occurs, in the same manner as above provided; and the office of assessor and collector and marshal may be conferred upon the same person, and the mayor and selectmen shall have the power to remove any one of said officers for cause, and declare the office vacant; and it is made the imperative duty of the mayor and selectmen to remove the assessor and collector should he fail to make satisfactory monthly settlements with the treasurer. That the compensation of the assessor and collector shall be fixed by the mayor and selectmen, not to exceed six per centum on the amount of taxes and licenses collected; they shall also fix the compensation of the clerk and treasurer of the corporation. The marshal, in addition to his salary, shall receive such compensation for removing nuisances, and for making arrests and summoning witnesses, as may be fixed by the mayor and selectmen; his fees for arrests and for summoning witnesses to be paid by the party convicted, and shall not exceed the rates paid the sheriff for like services.

SEC. 8. Be it further enacted, etc., That section eight of said act No. 111 be amended and re-enacted so as to read as follows: That said mayor and selectmen, clerk, treasurer, marshal, assessor and collector shall before entering upon the duties of their respective offices take an oath before the clerk of the district court or a justice of the peace to discharge faithfully and impartially all the duties imposed by this act, which oath shall be written in a bound book to be kept by the mayor and subscribed by the officers taking the oath.

SEC. 9. Be it further enacted, etc., That section nine of said act No. 111 be amended and re-enacted so as to read as follows: That the treasurer, marshal, and assessor and collector, 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 selectmen may deem sufficient, which bond shall be by notarial act, and recorded in the mortgage records of the parish, and the said assessor and collector shall, within such time as shall be provided for by the ordinances of the corporation after the receipt of his warrant for assessing and collecting any taxes and licenses that may have been levied, proceed to collect the same, and pay it into the hands of the treasurer and take his receipt therefor, and for that purpose he shall have the same power and means to enforce the payment of the corporation taxes and licenses levied by the mayor and selectmen as are given to assessors and collectors of State and parish taxes to enforce the payment of taxes and licenses due the State and parishes. The marshal shall be chief of police, shall attend all meetings of the mayor and selectment, shall arrest all parties whom he may see violating the police regulations of the town, or who may be charged with the same, and carry them before the mayor for trial; that he shall be the executive officer of the mayor in all proceedings before him when acting as police magistrate; be keeper of the town prison or calaboose; collect all fines assessed by the mayor, and imprison in the said lockup any one sentenced to imprisonment by the mayor, and see that they are properly fed and cared for while in prison at the expense of the corporation, and be allowed the same pay for feeding prisoners as is allowed the sheriff or jailor for State prisoners; that he shall pay over to the treasurer of the corporation at the close of each month all fines by him collected due the corporation and take his receipt therefor; that he shall be authorized, when necessary, to appoint such a number of special deputies to aid in preserving order as the mayor may deem proper, who shall receive such compensation as may be allowed by the mayor and selectmen, and whose power for the time being shall be coextensive with the marshal.

SEC. 10. Be it further enacted, etc., That section ten of the said act No. 111 be amended and re-enacted so as to read as follows: 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 marshal and assessor and collector; to keep an account of all receipts and disbursements in a well bound book; to make quarterly reports of the condition of the treasury, and submit his books and accounts to the mayor and selectmen whenever required, and pay out no money except in pursuance of an ordinance of the corporation and upon the warrant of the mayor.

SEC. 11. Be it further enacted etc., That section eleven of said act No. 111 be amended and re-enacted so as to read as follows: It shall be the duty of the clerk to record in a well bound book all the proceedings, by-laws, ordinances and police regulations adopted by the mayor and selectmen, and to cause the same to be promulgated by publication in the newspapers of the town, and that no by-law, ordinance or police regulation shall have effect until it shall have been so published for ten days.

SEC. 12. Be it further enacted, etc., That section twelve of said act No. 111 be and the same is hereby repealed.

SEC. 13. Be it further enacted, etc., That all laws or parts of laws incompatible or in conflict with the provisions of this act shall be, so far as they affect the corporation of the town of Homer, be and they are hereby repealed.

SEC. 14. Be it further enacted, etc., That this act shall take effect on and after the first day of March, 1876.

(Signed) E. D. ESTILETTE,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.
Approved March 2, 1876.
(Signed) WM. P. KELLOGG,
Governor of the State of Louisiana.
A true copy:
N. DURAND,
Assistant Secretary of State.

No. 37.

AN ACT

To amend and re-enact an act relative to the organization of the board of police in and for the town of Opelousas, passed March 15, 1866.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That from and after the passage of this act all the qualified voters residing within the corporate limits of the town of Opelousas shall meet at the courthouse, in said town, on the first Monday of April, 1876, and every two years thereafter, to elect by ballot seven holders of said town, to constitute the board of police of the town of Opelousas.

SEC. 2. Be it further enacted, etc., That aforesaid election shall be held at the courthouse of said town, at the time aforesaid, which shall be conducted by ballot. The polls shall be opened at nine o'clock in the forenoon and close at five o'clock in the evening, and shall be superintended by three commissioners, who shall be appointed by the president of the board, and who shall be qualified voters of said town. The president of the board shall give at least ten days notice of said election in a newspaper, if any be published in said town, or in the absence of any newspaper, by posting up advertisements to that effect in three conspicuous places in the town. The seven persons who shall obtain the greatest number of votes shall be declared duly elected by the commissioners of said election, as members of the board of police, of the town of Opelousas, to serve for two years from the day on which they are elected, or until their successors are elected and qualified. The registry of the certificate of election, signed by the commissioners of election, and of the oath of office filed in the office of the clerk of the court, shall be sufficient evidence required of their authority to act as members of the board.

SEC. 3. Be it further enacted, etc., That if the persons thus authorized and appointed to superintend the election aforesaid shall fail to perform the duties herein imposed, they and each of them shall forfeit and pay the sum of fifty dollars as a penalty for said failure, to be recovered before any court of competent jurisdiction (unless prevented by sickness or events beyond their control), which penalty shall be for the use of said town and subject to the disposal of the board.

SEC. 4. Be it further enacted etc., That the members of the board of police of the town of Opelousas, before they enter upon the duties of their offices, shall take the oath of office required by law before the clerk of the court, which oath shall be certified to by said clerk of the court on the certificate of election.

SEC. 5. Be it further enacted, etc., That in case of a vacancy in said board of police, either by death, resignation, or from any other cause, of any member of said board, it shall be the duty of the president of said board (to be chosen as hereinafter directed) to give legal notice of such vacancy within twenty days after such vacancy shall happen, and in said notice to fix a day for filling said vacancy by a new election, to take place at the courthouse aforesaid, within twenty days after the date of said notice, at which election the said president of the board and two other members thereof shall preside and give such certificate as is directed by this act.

SEC. 6. Be it further enacted, etc., That the said members of the board of police, to be elected pursuant to provisions of this act, shall meet on the second Monday of April after their election and afterwards on their own adjournments, until their successors are qualified in office. The members shall proceed, if there be a majority of them present, to elect one of their members as president, which election shall be signed by the members of the board and transmitted to the Governor of the State, who is hereby requested to give the person so choesn as president a commission as justice of the peace in and for the corporated limits of the said town of Opelousa, which commission shall be for and during the time the said person shall be president of the said board of police, and by virtue of which he shall have power to try all offenses against the laws and regulations of said board of police, and to assess such fines and inflict such penalties as the said board may have fixed for a non-observance or breach of their laws and regulations, and by a warrant, signed by him in his official capacity, to command the town constable (to be appointed as hereinafter directed) to cause his judgment to be satisfied by seizing and enjoining to sale to the highest bidder the goods and chattels of the person against whom such judgment shall be rendered; provided such person shall fail to pay the sum after three days' notice of said judgment, to be made by said constable, and all moneys so recovered as aforesaid shall be paid into the hands of the treasurer (to be appointed as hereinafter directed) for the benefit of the town of Opelousas; and if any person shall be arrested in the night time, he shall be brought by the keeper of the public prison, next morning, before the president of the board of police, or any magistrate residing in the said corporation of the town of Opelousas, to show cause, if any he has, why the fine and imprisonment imposed by law or by the regulations of the board of police, or either, shall not be enforced against him; and the keeper of the public prison of the parish of St. Landry is hereby required to receive and keep in his custody all persons that may be delivered to him by virtue of any law or regulation of the said board of police, and the said keeper shall have the right to demand and receive for each person so delivered the sum of one dollar as prison fees, and fifty cents per day for the maintenance, to be paid by the person so committed; and if the person so committed can not pay the said fees, and maintenance, the same shall be paid by the said town. The said president shall preside at the meetings of said board of police, shall sign all laws and regulations passed by said board, shall have power to call special meetings when he shall deem it necessary, and shall commission all officers of said town to be appointed by virtue of said act.

SEC. 7. Be it further enacted, etc., That in the event of the absence of the president of said board of police, the members thereof shall have power to elect one of their number pro tempore.

SEC. 8. Be it further enacted, etc., That the said board of police shall appoint a clerk to the said board, whose duty it shall be to record in a well bound book all the ordinances, orders and proceedings of said board; provided, that all ordinances and resolutions, before being adopted, shall be faithfully engrossed by the clerk and read twice. He shall attest all laws that are passed by said board, signed by the president; he shall record all appointments, receive and file all papers belonging to the board, and do and perform such other duties as shall be assigned him by the said board, and shall be allowed a competent compensation for his services, to be allowed and fixed by the said board of police.

SEC. 9. Be it further enacted, etc., That a constable shall be appointed by said board and commissioned by the president thereof, whose duty it shall be to attend said board at their sittings, and execute and make due returns of all such citations, orders and warrants which may come into his hands appertaining to the jurisdiction of said board of police. The fees of said constable shall be fixed by the board.

SEC. 10. Be it further enacted, etc., That said board of police shall appoint an assessor in and for said town of Opelousas, whose duty it shall be to make an assessment roll of the property to be taxed in said town, according to the directions he may receive from the said board of police, and whose fees shall be fixed by the said board.

SEC. 11. Be it further enacted, etc., That the said board of police shall appoint a collector in and for the said town of Opelousas, whose duty it shall be to collect all such taxes as may be imposed by the said board of police and assigned him by said board for collection, and to pay over all moneys received by him into the hands of the treasurer; and the said collector shall have the same power to enforce the payment of the taxes to be levied, or that are levied by the said board of police, as is given by law to the tax collector for the collection of State taxes, and his salary shall be fixed by the said board.

SEC. 12. Be it further enacted, etc., That the said board of police shall appoint a treasurer, who shall be commissioned by the president of said board, and whose duty it shall be to receive all moneys paid over to him by the collector; to keep a regular account of all moneys that may come into his hands in a well bound book; to submit his accounts to the board of police at least once every three months. The moneys in his hands shall be drawn on the warrant of the president of the board of police, which warrant shall state the nature and object of the expenditure, and by virtue of what law or ordinance it is authorized, and for such services such treasurer shall receive whatever compensation may be judged proper by said board of police.

SEC. 13. Be it further enacted, etc., That the clerk, constable, collector, assessor and treasurer of said town of Opelousas shall, before they enter upon the duties of their respective offices, take an oath, to be administered by any competent magistrate, faithfully to discharge their several duties, and the treasurer, collector and town constable shall, before they enter upon the respective duties of their offices, enter into bond, with good security given jointly with persons residing in the parish of St. Landry, in a sum at the discretion of the board of police, for their faithful administration.

SEC. 14. Be it further enacted, etc., That the assessor of the town of Opelousas shall, in addition to his duties aforesaid, in section tenth of this act, advertise the assessment immediately after the same shall be finished (which shall be before the twentieth day of May in every year), in a newspaper, if any be published in the town; or in case there be no newspaper published, at two or three of the most public places in the said town, for twenty days; and any person who may have been aggrieved by said assessment, may, within said time, cause the same to be corrected, by making application to the president of the board of police.

SEC. 15. Be it further enacted, etc., That the clerk, constable, treasurer and assessor of the said town of Opelousas shall hold their office, respectively, during the good will and pleasure of a majority of the members of the board of police.

SEC. 16 Be it further enacted, etc., That the said board of police and their successors in office, or a majority of them, shall have full power and authority to make such laws and regulations as they may deem necessary for the good order and government of the said town of Opelousas, and which may not be inconsistent with the constitution and laws of the State; to enforce the laws and regulations made by them on these subjects by fine, not exceeding one hundred dollars, or imprisonment in the public prison of the parish of St. Landry, or by both fine and imprisonment; provided, such imprisonment shall in no case exceed ten days from the time of the conviction and incarceration for any such violation.

SEC. 17. Be it further enacted, etc., That the said board of police and their successors in office shall have power to raise such sums of money as may be necessary for the improvement of said town of Opelousas, for establishing a well organized police and for promoting the comfort and convenience of its inhabitants, which sums shall be raised by assessing a tax on all property or objects subject to be taxed, or that are taxed by the State, which tax shall in no case exceed fifty cents per annum on every one hundred dollars value of the property to be assessed; and, in addition to the aforesaid tax, said board shall also have power to levy a specific tax for any special purpose, said special tax never to exceed the regular tax.

SEC. 18. Be it further enacted, etc., That the said board of police shall have the power to impose such taxes as said board shall deem proper on each and every merchants, on each and every keeper of a grogshop, billiard table, livery stable, coffeehouse or theatre, on each and every showman, hawker, peddler, jeweler, druggist, and on each and every person following any trade, profession or occupation which may be licensed or taxed by the State; provided, that in no case such tax imposed on any one person for following any one trade, profession or occupation shall exceed two hundred and fifty dollars, such tax to be apportioned if imposed for a less term than one year in such ratio as the board of police may determine.

SEC. 19. Be it further enacted, etc., That the first election under this act shall take place on the first Monday of April, 1876, and on the first Monday of April of every two years following, and that the actual members of said board of police of the town of Opelousas shall continue in office until their successors are duly elected and qualified, and that they shall have power to carry out the provisions of this act after its passage.

SEC. 20. Be it further enacted, etc., That the board of police of the town of Opelousas shall have full power to open additional streets within the corporate limits of said town upon making fair compensation to the expropriated owners of the soil, which compensation shall be determined and paid as directed by existing laws regulating the compulsory transfer of property.

SEC. 21. Be it further enacted, etc., That to the end that good order be maintained in said town of Opelousas, the said board of police shall have full power and authority to pass and enforce by adequate penalties all such ordinances for the purpose of closing, within the corporate limits of said town, on Sundays, holidays and such other days as they may deem advisable, all houses, shops and saloons in which vinous, spirituous or malt liquors are sold or otherwise disposed of; provided, that for each and every violation of any ordinance passed by virtue of this section by said board of police, the fine shall not exceed one hundred dollars, to be collected before any court of competent jurisdiction.

SEC. 22. Be it further enacted, etc., That all laws contrary to the provisions of this act be and the same are hereby repealed.

SEC. 23. Be it further enacted, etc., That this act shall have full force and effect from and after its passage.

(Signed) E. D. ESTILETTE,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.
Approved March 2, 1876.
(Signed) WM. P. KELLOGG,
Governor of the State of Louisiana.
A true copy:
N. DURAND,
Assistant Secretary of State.

No. 38.

AN ACT

To amend and re-enact section ten of an act entitled an act supplementary to the acts incorporating the town of Thibodaux, being session act No. —, approved May 29, 1846, so as to regulate the time and manner of holding elections for municipal officers of the town of Thibodaux, and fixing their term of office.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That section ten of an act entitled an act supplementary to the acts incorporating the town of Thibodaux, approved May 29, 1846, which reads as follows: "Be it further enacted, etc., That the mayor, acting as presiding officer, assisted and accompanied by two of the trustees, shall, on the first Monday of May in every year, meet at the council hall of said town, and then and there proceed to elect by ballot one person having the requisite qualifications to serve as mayor for the year succeeding his election, and six to act as trustees for the same space of time, each voter distinguishing the person voted for as mayor from those voted for as trustees; and the said mayor and trustees shall continue in office until their successors shall have been qualified according to law; provided, that the first election under this act shall be held and the term of office of the mayor and others elected be as is set forth in the twenty-sixth section of this act," be and the same is hereby amended and re-enacted, so as to read as follows, viz: "The mayor, acting as presiding officer, assisted by two of the trustees, shall, on the first Tuesday after the first Monday of November of each alternate year, that is to say, of every second year, meet at the council hall of said town, and then and there proceed to elect by ballot one person having the requisite qualifications to serve as mayor for the two years succeeding his election, and six persons of similar qualifications to act as trustees for the same space of time, each voter distinguishing the person voted for as mayor from those voted for as trustees; and the said mayor and trustees shall continue to discharge the duties of their office until their successors respectively shall have been inducted into office."

SEC. 2. Be it further enacted, etc., That this act shall take effect from and after its passage, and that all laws or parts of acts contrary to or inconsistent with the provisions of this act be and the same are hereby repealed.

(Signed) E. D. ESTILETTE,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.
Approved March 2, 1876.
(Signed) WM. P. KELLOGG,
Governor of the State of Louisiana.
A true copy:
P. G. DESLONDE,
Secretary of State.

No. 39.

AN ACT

Establishing justice of the peace wards in the parish of St. Landry, and increasing the number of justices of the peace and constables, and for other purposes.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That the five police jury wards of the parish of St. Landry shall each be divided into justice of the peace wards in the following manner, to wit:

The first police jury ward shall be divided into two justice of the peace wards, to be known and designated as the first and second justice of the peace wards.

The second police jury ward shall be divided into two justice of the peace wards, to be designated as the third and fourth justice of the peace wards.

The third police jury ward shall be divided into three justice of the peace wards, to be known and designated as the fifth, sixth and seventh justice of the peace wards.

The fourth police jury ward shall be divided into three justice of the peace wards, to be designated as the eighth, ninth and tenth justice of the peace wards.

The fifth police jury ward shall be divided into three justice of the peace wards, to be known and designated as the eleventh, twelfth and thirteenth justice of the peace wards.

SEC. 2. Be it further enacted, etc., That there shall be elected, at the next general election, by the voters residents of each of the justice of the peace wards, one justice of the peace and one constable for said ward, except in the wards embracing the towns of Opelousas and Washington, in which wards the voters, residents thereof, will elect two justices of the peace and two constables for each of said wards.

SEC. 3. Be it further enacted, etc., That in the wards wherein the towns of Opelousas and Washington are located, one of the justices of the peace and one constable shall be residents of and have their office in said incorporated towns.

SEC. 4. Be it further enacted, etc., That the police jury of the parish of St. Landry shall, at their next meeting after the passage of this act, proceed to divide the existing police jury wards into justice of the peace wards, agreeably to the provisions of this act; and no police jury ward shall be so divided as to place one portion of an incorporated town in one justice of the peace ward and another portion into another justice of the peace ward.

SEC. 5. Be it further enacted, etc., That justices of the peace and constables shall be *bona fide* residents of the wards in which they are respectively elected.

SEC. 6. Be it further enacted, etc., That the police jury of the parish of St. Landry shall clearly establish the boundary lines of all justice of the peace wards by rivers, bayous, creeks, gullies, township or section lines, or by public roads.

SEC. 7. Be it further enacted, etc., That the Governor shall appoint, by and with the advice and consent of the Senate, a sufficient number of justices of the peace and constables to fill the requirements of this act, who shall hold their office until their successors are elected and qualified, as provided for in this act.

SEC. 8. Be it further enacted, etc., That all laws or parts of laws in conflict with the provisions of this act be and the same are hereby repealed, and that this act shall take effect from and after its passage.

(Signed) E. D. ESTILETTE,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.
Approved March 2, 1876.
(Signed) WM. P. KELLOGG,
Governor of the State of Louisiana.
A true copy:
P. G. DESLONDE,
Secretary of State.

No. 40.

AN ACT

To establish a charity hospital in the city of Shreveport, parish of Caddo; to provide for its administration and government, and to appropriate moneys for its maintenance and support.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened. That there shall be established in the city of Shreveport, in the parish of Caddo, a charity hospital, to be maintained at the expense of the State, for the reception and medical and surgical treatment of indigent and destitute sick and wounded persons, without distinction of race and color, said hospital to be known and designated as the "Shreveport Charity Hospital."

SEC. 2. Be it further enacted, etc., That the direction and management of the Shreveport Charity Hospital shall be vested in a board of directors, to be composed of the following persons, to wit: The mayor of the city of Shreveport, ex officio; the president of the police jury in and for the parish of Caddo, and three persons, citizens and residents of the city of Shreveport or the parish of Caddo, to be appointed by the Governor of this State, and the said board shall elect its president annually.

SEC. 3. Be it further enacted, etc., That the board of directors shall have power to order, establish, alter and put into execution all by-laws and ordinances which they may think best suited to the interests and better regulation of said hospital. They shall have power to appoint the several persons they may judge necessary for the service of said hospital, and to fix their compensation, and at each monthly meeting they shall appoint a committee whose duty it shall be to visit the hospital, to inspect the same, and to enforce the execution of its regulations, and the said board shall lay every year before the Legislature, within the first ten days of their annual session, a detailed statement of their receipts and expenditures of the preceding year, and all such other information as they may think proper.

SEC. 4. Be it further enacted, etc., That said board shall appoint a treasurer, who shall also be secretary of the board, and to be continued in office at their own will and pleasure, who shall before he enters upon the duties of his office, give bond and security in the sum of five thousand dollars, to be approved by the board, conditioned for the faithful performance of the duties of his office and disbursement of the funds which shall come into his hands. It shall be the duty of said treasurer to receive all funds due to the said hospital to keep a correct and detailed statement of the same, and to make all payments therefrom, when approved by the board, upon the warrant of the president of the board. The treasurer shall submit, at each and every monthly meeting of the board, the books, accounts and papers of his office, which shall at all times be opened to the inspection of the board. The treasurer shall also keep a register; containing the name and surname of each and every patient that shall have been admitted in the Charity Hospital, his age, place of birth, and his descriptive list, the day of his discharge or of his death, in order to prove his identity, a copy of which descriptive list shall be annexed to the annual report of the board to the Legislature, and also a statement exhibiting the nature of the diseases attended to at said hospital during the preceding year; the number of patients admitted in the course of the year, the number of persons dead, cured or discharged from the hospital for any other cause, the number of those born therein, and the number remaining in the hospital at the end of the year.

SEC. 5. Be it further enacted, etc., That the sum of ten thousand dollars be and the same is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, for the support and maintenance of the Shreveport Charity Hospital for the year 1876, the same to be paid upon the warrant of the president of the board of directors of the Shreveport Charity Hospital, drawn upon the Auditor of Public Accounts of this State, who shall warrant on the State Treasurer for the said sum, so soon as the Auditor of Public Accounts shall be notified by the board that the city of Shreveport, or the parish of Caddo, or both of them, have placed at the disposal of the board of directors of the Shreveport Charity Hospital such building or buildings as are suitable and adequate for a hospital.

SEC. 6. Be it further enacted, etc., That said board shall have power and authority to manage and administer the affairs of said hospital, to repair and improve its property, of whatever nature and kind, to rent and lease the same, and to enter into any kind or nature of contracts, for the best advantage of said institution; to adopt, in behalf of said hospital all donations and legacies, under any and all title whatsoever, which may be made by private or public instrument of writing, by codicil, will, or in any other manner, provided that the title to any property, real or personal, purchased for the use of or donated to and accepted for the use of said hospital, shall rest in and belong to the State of Louisiana, for the sole and exclusive use and benefit of the Charity Hospital of Shreveport; and by a vote of two-thirds of the members of the board to loan and mortgage any part or portion of the real estate of said hospital, as also to sell so much of said property as may be necessary to purchase, build or improve a hospital of dimension and size adequate to the object of the institution. The said board shall have the right to sue and be sued, implead or be impleaded in any suits and actions before any court of this State. The president of the board is hereby designated as the person on whom all legal notices are to be made, which may be made on him personally or be left at the office of the company.

SEC. 7. Be it further enacted, etc., That all laws or parts of laws contrary to or in conflict with the provisions of this act be and the same are hereby repealed, and that this act shall be in full force and effect from and after its passage.

(Signed) E. D. ESTILETTE,
Speaker of the House of Representatives.
(Signed) C. C. ANTOINE,
Lieutenant Governor and President of the Senate.
Approved March 7, 1876.
(Signed) WM. P. KELLOGG,
Governor of the State of Louisiana.
A true copy:
P. G. DESLONDE.
Secretary of State.

No. 41.

AN ACT

To incorporate the Factors' Warehouse Bank; to provide for its management and the mode of securing pledges of produce and merchandise on warehouse receipts and actual pledges.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the following named persons, viz: John Phelps, John A. Stephenson, William H. Letchford, William C. Raymond, Charles F. Dugezon, Julius Weiss, Henry Abraham, O. J. Forstall, H. S. Buckner, A. H. May, A. J. Gomilla, Theodore Hellman, George Frericks, E. W. Halsey, Thomas L. Airey, William C. Black, John Cheffe, Richard Flower, George P. Harrison, William L. Cushing, E. T. Merrick, J. C. Van Wickle, A. W. Hyatt, William O. Denegre, Arthur Denis, Lloyd R. Coleman, Isaac N. Maynard, and their associates, successors and assigns, shall, and they are hereby constituted and created a body corporate to transact business as a bank, under the powers and regulations hereinafter provided, and such by-laws as they may ordain under the authority of this act.

SEC. 2. Be it further enacted, etc., That the said body corporate shall be known under the name of the Factors' Warehouse Bank, and by that name it shall have the power to sue and be sued, and contract and be contracted with, and have perpetual succession for the period of twenty-five years from the passage of this act, and to have a corporate seal and the right to break the same and replace the same by others.

SEC. 3. Be it further enacted, etc., That the stock of said company shall consist of fifty thousand shares of one hundred dollars each, amounting to five millions, and that when a majority of the shares have been subscribed and twenty-five per cent thereon have been paid in, the said body corporate shall be deemed organized and may proceed to the transaction of business.

SEC. 4. Be it further enacted, etc., That the affairs of the said body corporate shall be managed by a president and board of directors, to consist of thirteen persons, including the president, who shall be elected as follows, viz: So soon as sufficient stock has been subscribed and said installment of twenty-five per cent thereon paid in, and annually thereafter, the stockholders shall by ballot elect thirteen of their number, who, at the date of their election, shall hold each thirty shares of the stock of said bank, as shown by its stock book, and said directors so elected shall choose one of their number to be president of said bank, and said president and board of directors shall elect a suitable person to be cashier, and such other officers and employes as they by their resolutions may declare necessary, it being understood in the election by stockholders that each share of stock shall entitle the holder thereof to one vote, and that not more than one person, of any copartnership, firm or company shall be elected a director in the said Factors' Warehouse Bank.

SEC. 5. Be it further enacted, etc., That the persons herein named, or a majority of them, shall open the books of the said body corporate for subscriptions of stock, and when a majority of shares shall have been subscribed and the said first installment on shares paid in and deposited in some safe bank, they shall call a meeting of stockholders for the election of a board of directors, as provided in the preceding section; provided, that no person shall be authorized to vote who has failed to pay the said first installment of stock, and provided also that such subscription of stock and payment of said first installment shall make such stockholders corporators in said bank.

SEC. 6. Be it further enacted, etc., That said body corporate shall have its domicile in the city of New Orleans.

SEC. 7. Be it further enacted, etc., That the said bank shall have power to hold, receive, purchase and convey by and under its corporate name such real and personal property as may be necessary to the objects and purposes of the corporation, including such real estate as may be necessary for the proper transaction of their business; also such as shall have been mortgaged to them in good faith as a security for loans, such real estate as may be conveyed to them in satisfaction of debts previously contracted *bona fide* in the course of business, and such as the corporation may purchase at sales under judgments or mortgages held by the corporation, or in which they may have an interest by subrogation; provided, that no property so acquired, except such as is necessary to the proper transaction of their business, shall be held by said bank longer than five years.

SEC. 8. Be it further enacted, etc., That the said bank shall have power to transact the usual business of banking, which, among other powers granted under this special term, shall include the power to receive money on deposit and to pay the same on demand; to discount commercial paper; to buy and sell gold, gold coin, silver coin and silver bullion; to deal in bills of exchange, payable in any of the States or Territories of the United States, but not in bills of exchange payable in foreign countries, except to secure the payment of some prior debt bona fide made; to loan money on agricultural products and merchandise