

# Algerines at Law.

## CITIZENS MUST PAY FINES.

Many property holders of Algiers were compelled to pay dearly for their failure to comply with the instructions of the City Board of Health relative to certain ordinance when they faced First Recorder Fogarty in the Third Recorder's Court on Thursday. A number of the accused were fined \$10 or thirty days, some were discharged upon producing proof that the delay in complying with the notices they had received was not their fault, while others were allowed time to make a defense, having asked for continuances.

Nearly 100 board of health cases came up before Recorder J. J. Fogarty Thursday in the Third Recorder's Court. A number were dismissed and some were continued to July 15.

Charged with having foul vaults and bad drain gutters on their premises, the following were fined \$10 each: Ed. Canere, A. Scott, Mrs. M. Waller, Louis Vinet, W. Watson, Lucinde Auguste, John Manville, S. Haruin, Annie Perkins, C. B. Di Cristina, J. Arnold, Ed. Dodds, A. Aubert, Lizzie Mattheys.

## BUILDING PERMITS.

J. W. Lennox, owner and builder, one story frame slated residence, Jena, Chestnut, Camp and Cadiz, \$2,000.

L. Hotard, owner, one story frame slated residence, Diana, Brooklyn, Teche and D'Armas, \$1,500. J. W. Lennox, builder.

Jules Babin, owner, frame additions, 420 Alix, 700; Pollock & Killen, builders.

## SUCCESSIONS.

Succession of Louis Tylor and wife, Honorah Tylor; possession.—P. F. Hennessey.

## REAL ESTATE TRANSFERS.

John N. Glasser to Mutual Building and Homestead Association, lot, Olivier, Alix, Verret and Pelican avenue, \$2,800 cash.—Rebentisch.

Purchaser to Mrs. Ferdinand S. Drumm, same property, \$2,800 terms.—Rebentisch.

McLeilan Realty Co., Ltd., to N. O. Dry Dock & Ship Building Co., 12 lots, Patterson, Verret, Olivier and Mississippi river, \$15,000 cash.—Janin.

Diego Sunseri to Philip Sunseri, lot, Diana, Teche, Nunez and Newton, \$500 cash, \$2,000 mortgage.—Stafford.

Mutual B. & H. Assn. to Mrs. F. S. Drumm, lot, Olivier, Alix, Verret and Pelican avenue, \$500 cash, \$2,300 mortgage.—Rebentisch.

Widow Thos. Lynch vs. Mrs. Widow L. Fridolin to Mrs. Wid. Thos. E. Lynch, lot, Elmira, Belleville, Evelina and Eliza, \$450 cash.—Sheriff.

Mrs. James Lee to Mutual Bldg. & Homestead Assn., lot, Seguin, Bouny, Alix and Pelican, \$1,400 cash.—Rebentisch.

Purchaser to vendor, same property, \$1,400 terms.

## CONTRACTS.

Morris Michaelis owner, Pollock & Killen contractors, repairs, alterations and additions to property 1025 Eliza street, -1,200; Mrs. Widow Katherine Killen, surety.—Titche.

## CIVIL DISTRICT COURT.

Succession of B. W. Borne; Mrs. B. W. Borne has applied for letters of administration.—N. E. Humphrey.

## SUPREME COURT.

### New Suits.

State ex rel. J. M. Duffy vs. Thos. P. Goff et als., appeal from Civil Court, Div. D.—B. R. Forman, P. F. and W. J. Hennessey, for relator and appellant.

Mrs. B. H. Kearns vs. B. H. Kearns, appeal from Civil District Court, Div. D.—G. F. Bartley, for defendant and appellant.

## CONVENTIONAL MORTGAGES.

Joseph G. Labella to Domenic Grafagnino, \$3,000, 2 notes, 7 per cent, lot, Belleville, Vallette, Homer and Sildell; 2 lots, Teche, DeArmas, Lamarque and Brooklyn.

John Mangiaracina to Interstate Trust & Banking Company, \$600, 1 note, 1 year, 7 per cent, lot, Pacific, Elmira, Pelican avenue and Alix—Maconey.

## TRYING TO FORCE LALA INTO BANKRUPTCY

### LALA ASKS LOWER COURT TO REVERSE SUPREME COURT.

Charging that Theodore J. Lala has planned to delay, defraud and hinder his creditors, the Bluefields Fruit & Steamship Company brought proceedings in the United States District Court Saturday afternoon asking for an injunction through bankruptcy.

According to the petition the Bluefields Fruit & Steamship Company, as assignees of the Bluefields Steamship Company, in a suit against the Lala-Ferrares-Cangelosi Steamship Company, obtained judgment against Lala for \$11,440. This was May 12, 1913. Since that time they allege Lala has committed acts of bankruptcy. They charge that he executed a mortgage June 5, 1913, ostensibly to secure an indebtedness, but is not indebted to the mortgagee and that the mortgage was made to delay, hinder and defraud

his creditors, particularly the Bluefields Steamship Company.

### Say He Would Evade Creditors.

They charge that on June 5, 1913, Lala attempted and purported to sell an alleged corporation known as Theodore J. Lala, Ltd., all of the real estate covered by the mortgage named above, and all rights, interest and stock of the bar and grocery at Teche and Sildell avenues, Algiers. This sale was for a consideration of \$25,000, payable in non assessable stock of the alleged corporation, and the corporation was to assume the commercial obligations of the mercantile establishment of Lala at Sildell and Teche avenues, estimated at \$13,000.

The Bluefields Fruit & Steamship Company in their petition filed Saturday assert these steps were taken by Lala to place himself beyond the reach of his creditors.

They charge that the execution of the mortgage note, the organization of the corporation, transfer of property were fraudulent and mere pretenses and devices concocted for the purpose as charged.

### Asks Lower Court to Reverse Supreme.

Alleging that the supreme court had passed on a matter of original jurisdiction in the suit of the Bluefields Steamship Co. vs. Lala-Ferrares-Cangelosi Steamship Company et al., Theodore J. Lala filed a suit in the civil district court Monday, the petition in which virtually asks the judges of the civil district court to "call down" the judges of the state's highest tribunal and to reverse its judgment in the original suit.

The judgment in the case, for \$11,440, is listed as one of Lala's liabilities in the bankruptcy proceedings filed in the federal court Saturday.

The facts in the case, as set forth in the new petition, follow: The defendants secured a judgment before Judge King in the lower court on the original suit, when the Bluefields Steamship Company sued them individually for \$11,440, with costs. An appeal was taken by the Bluefields Steamship Company. The latter company, it is averred, called on the supreme court the day before the case was to have been heard, to be subrogated, alleging that they had acquired the rights of the Bluefields Steamship Company in the case.

### Would "Buy Their Peace."

The appellees, among whom was Theodore J. Lala, opposed this motion on the ground that the corporation seeking to be subrogated had acquired a litigious right and applied for a confirmation of the judgment of the lower court, or in the alternative that this phase of the case be remanded to the lower court to ascertain what price was paid for the rights by the so-called subrogee, thus affording the defendants an opportunity to "buy their peace" and stop the litigation in accordance with the rights given them under articles 2652 and 2653 of the civil code.

The supreme court, however, the petition says, did not do this, but reversed the judgment of the lower court and gave judgment against Lala and the other defendants, the court in its judgment holding that the sale was not the sale of a litigious right, and that the petitioners were therefore not entitled to settle the suit by paying the amount paid for the transfer of the suit to the Bluefields Fruit & Steamship Company.

### Denies Court's Power.

Lala then goes on to aver that the judges of the supreme court were incompetent in law to try and determine the question of litigious right, and that in so doing they transcended their powers, asserted jurisdiction they did not possess, and unlawfully passed upon an issue of fact and law which had not been passed upon by the lower court, which issue only came into existence after the transcript of appeal was lodged in the supreme court.

Lala prays that the court declare the supreme court's judgment for \$11,440 null and void.

### TWENTY-EIGHTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON.

Jos. Iddle vs. Hamler Bollier and Tank Co. Judgment for plaintiff for fifteen thousand dollars.

This judgment was rendered on Monday, the first day of the civil term, and is the result of a long legal battle. Iddle was injured and made a cripple while working for this company at the plant of Swift and Co. at Harvey, La. He brought suit in Jefferson for damages and defendants presented many legal defenses, making strong opposition. Their defenses were overruled and they then filed a petition removing the case to the United States District Court. Here there was another legal fight and a motion of Iddle's attorneys to remove the case to Jefferson prevailed.

This was the first time that form of process had been used here since the new United States Judicial Code was adopted. The defendant company then appealed to the Supreme Court of this State for writs of certiorari and prohibition. Here they were again defeated and their application denied.

After some other skirmishing, the litigants finally went to trial several weeks ago, and the judge had the case

under advisement until Monday, when the judgment in favor of plaintiff was rendered.

Former Senator Robert O'Connor was the leading counsel for plaintiff throughout the case, assisted by Mr. P. E. Edrington, Jr.

## CHAMPION WOODMEN.

Company H Challenges All Louisiana to Drill July 4.

Officers of Company H, of the Woodmen of the World, Uniform Rank, and champions of the South, announce that the company will appear on the grounds at the gigantic Fourth of July festival of the Woodmen. Competitive drills will take place on this day, and Company H issues a challenge to all teams in the state. Directly after the festival the twenty-one men comprising the company will leave for the national encampment at Put-in-Bay, Ohio, where it hopes to win fresh laurels.

## INFORMAL RECEPTION.

Among the many pleasant social events of the past week was that of last Saturday evening, when Mr. and Mrs. A. Gayaut entertained very delightfully at their hospitable home, 1042 Verret street, at an informal reception in honor of their daughter, Eleanora's graduation from the Belleville School and her entrance into High School this coming season.

The sweet graduate was assisted in receiving the guests by her sisters, Misses Ella and Alma, and her cousins, Misses Inez Delney and Modja Gayaut.

The house was beautifully decorated for the occasion with palms, ferns and artificial flowers, which intermingled with moss and cedar, adding much to the occasion. Dancing was indulged in until early morn, music being furnished through the evening by C. Gerber Levy and J. L. Segar.

Delicious refreshments of sandwiches, ice cream and cakes were served in the beautiful flower garden, which was illuminated with Japanese lanterns. During the evening the guests were treated to several appreciated songs by Misses Inez Delney, Alice Schmidt and Mr. John Cieutat, while Misses Ella, Alice, Modja and H. Gayaut and Inez Rouschkolb rendered several selections on the piano which were well received. Miss Eleanora was the recipient of many gifts, showing the popularity she enjoys among her friends, who wish her success in her new studies.

When the hour of departure arrived the verdict of all those present was that they had a most enjoyable evening. Those present were: Mr. and Mrs. Alfred Richter, Mrs. F. Graf, Mr. and Mrs. T. Mumphy, Misses Thelma Schmidt, Hilda Rauschkolb, Clara Gayaut, Annie May Rainey, Melba Butcher, Gertrude Finlay, Carrie Kern, and Messrs. Louis Lorio, Sebastian Roy, Robt. Anderson, Henry Albrezy, Gilbert and Anthony Gayaut, Seldon Talbot, Robt. O'Connor, Stumel and Leon Jacobs.

## RENECKY SELLS THE FAMOUS BUSTER BROWN SHOES FOR THE CHILDREN.

### EXCURSION JULY 4th.

On the Fourth of July there will be a big excursion on the Grand Isle Railroad from Algiers to all points on the lower coast. The fare for the round trip will be the usual \$1.00 and the other prices maintaining as for other excursions. Mr. Smith, chief clerk of the Grand Isle Railroad, is looking after the affairs of the excursion and no doubt it will be a big success as there will be many to take advantage of this trip down to the Orange Belt on that day.

## AMENDMENT TO CHARTER. VALLEY TRADING CO., LTD., OF UNITED STATES OF AMERICA, STATE OF LOUISIANA, PARISH OF ORLEANS, CITY OF NEW ORLEANS.

Be it known, that on this 21st day of the month of June in the year of our Lord one thousand nine hundred and thirteen and of the Independence of the United States of America the one hundred and thirty-second, before me, R. A. Tichenor, a notary public, duly commissioned and qualified in and for this state and parish of Orleans, therein residing, and in the presence of witnesses hereinafter named and undersigned, personally came and appeared: Harley A. W. Howcott, president of the Valley Trading Company, Limited, a corporation organized under the laws of the state of Louisiana and domiciled in the parish of Orleans, La., under a charter before Norwood T. Smith, notary public, Natchitoches parish, December 19th, 1908, recorded in mortgage book 115, folio 154, Natchitoches parish records, and book 62, folio 265, book of charters, secretary of state Baton Rouge, La., appearing to alter change and amend the company's charter under a stockholders' meeting held in Natchitoches, La., at the book 4, page 7 of the company's minutes, and under a resolution of the board of directors, held in New Orleans, La., at the Exchange, 828 Perdido street, on Saturday, June 15th, 1913, at 10 a. m., filed in book 5, page 2 of the company's minutes.

Article I.—The name and style of this corporation shall be "Elysian Fields Realty Co." and under that name it shall have and enjoy all the rights, advantages and privileges granted by law to corporations; it shall exist for a period of ninety-nine years from this day; it shall have power to contract, to make and issue a corporate seal, and the same to break or alter at pleasure; to hold, receive, purchase, convey, mortgage, hypothecate or pledge property, both real and personal; to issue bonds, notes and other obligations; to have and employ such managers, directors, officers, agents and other employees as the interest and convenience of said corporation may require; and to make and establish such by-laws, rules and regulations for the corporate management and control deemed necessary and expedient as may be.

Article II.—The domicile of said corporation shall be in the city of New Orleans, state of Louisiana, and all citations and other legal process shall be served on the president, and, in his absence, on the vice-president, or, in the absence of both of these officers, on the secretary of said corporation.

Article III.—The objects and purposes for which this corporation is organized and the nature of the business to be carried on by it are hereby declared to be: to buy and sell real estate, to hold money on deposit, to act as broker agent or trustee for individuals, firms or corporations; to construct and erect, or to contract for the construction and erection of buildings, and generally to do and engage in any other

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Original signed: Names of subscribers and number of shares subscribed by them omitted. F. E. Twomey, J. L. Weiss, FELIX J. DREYFOUS, Not. Pub. I, the undersigned, recorder of mortgages for the parish of Orleans, do hereby certify that the above and foregoing act of incorporation of the "Elysian Fields Realty Co." was this day duly recorded in my office in book 1088, folio 481.

New Orleans, May 23, 1913. (Signed) EMILE J. LEONARD, D. R. A true copy from the original act. FELIX J. DREYFOUS, Not. Pub. 204 Carondelet Street, New Orleans, May 29 June 5 12 19 26 July 3

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