

registry, in such form as said board of liquidation may determine, and prescribe, and said certificate, in person or by proxy, on the records of the books of the board of liquidation, and the annual interest on the amount of said certificate, instead of being represented by interest coupons, shall be payable to such party or his order in such form and manner as said board of liquidation may determine and prescribe; and the city of New Orleans shall cause a sufficient number of blank certificates of registry to be printed or engraved in the form and manner prescribed, and shall deliver said blanks to the board of liquidation, to be used agreeably to this section.

Sec. 10. *Be it further enacted, etc.* That it shall be the duty of the Council of the city of New Orleans to provide a proper office for the board of liquidation of the city debt; but the expenses of engraving, printing and issuing the bonds created under this act, and all necessary clerical and office expenses, shall be paid out of the funds appropriated and belonging to the payment of interest and principal of the said bonds; provided, that no member of the board of liquidation shall receive any salary or emolument of any kind for his services thereon.

Sec. 11. *Be it further enacted, etc.* That the City Council be and is hereby required to levy an annual tax, calculated upon the total amount of the preceding year, not exceeding twenty per cent, sufficient to pay in full the interest on all the bonds issued under the provisions of this act, and any tax levied shall continue in force until superseded by a new levy for the same purpose.

Sec. 12. *Be it further enacted, etc.* That all parts of all laws in conflict with this act be and the same are hereby repealed.

R. N. OGDEN,
Speaker of the House of Representatives.

S. D. MCENERY,
Lieutenant Governor and President of the Senate.

Approved April 10, 1880.

LOUIS A. WILTZ,
Governor of the State of Louisiana.

A true copy:
WILLIAM A. STRONG,
Secretary of State.

No. 134. AN ACT

To carry into effect article 175 of the constitution of the State of Louisiana, and to secure to laborers and workmen the wages due them in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana, etc.* That laborers and workmen on buildings, streets, railroads, canals, ditches and other similar works, when their services are engaged by the proprietor or any agent of the proprietor upon any of the works above enumerated, shall have a first privilege upon the buildings or other works upon which their labor has been bestowed.

Sec. 2. *Be it further enacted, etc.* That when such works are done by a contractor or sub-contractor for a stipulated price, it shall not be lawful for any portions of such contract price to be paid or advanced to the contractor or to any sub-contractor until payment has been made to the proprietor or his agent due to the laborers or workmen under such contractors or sub-contractors, up to the date of such payment, nor shall any payments or advances be made to any such contractor or sub-contractor, except in proportion to work actually done and in such manner as to leave unpaid at all times, until the completion of the work, a sum sufficient to secure the bills for labor or work.

Sec. 3. *Be it further enacted, etc.* That any laborer or workman, in the event of non-payment by this act, of work done by any contractor or sub-contractor, may record his claim for such amount as will probably be due him at the expiration of the work; such recordation to act as a first privilege upon all such work, in event of the violation of the provisions of this law by the proprietor or his agents, in event of said recordation, the same shall be erased upon payment of the amount due, as above stipulated, by this act, from the books of the recorder of mortgages, at the expense of the party recording. In no case shall the recorder of mortgages charge more than fifty cents for recordation and twenty-five cents for erasure of privilege, as herein provided.

Sec. 4. *Be it further enacted, etc.* That the recordation provided for in the third section of this act may be made on the books of the recorder of mortgages in any parish where the labor described in the first section of this act may be done; and that every chartered corporation, notwithstanding that it may have a domicile, as provided in its charter, shall designate some office where service of process may be made in every parish where such claims may originate.

Sec. 5. *Be it further enacted, etc.* That the amounts to be paid by the owner to such laborers shall not exceed the amount each owner is bound for to his contractor at the time of recording.

R. N. OGDEN,
Speaker of the House of Representatives.

S. D. MCENERY,
Lieutenant Governor and President of the Senate.

Approved April 10, 1880.

LOUIS A. WILTZ,
Governor of the State of Louisiana.

A true copy:
WILLIAM A. STRONG,
Secretary of State.

No. 135. AN ACT

Relative to suits and the trial thereof before the district courts of the State; for the removal from office of district attorneys, clerks of courts, sheriffs, coroners, recorders, justices of the peace, and of all other parish, municipal and ward officers, under the provisions of articles one hundred and ninety-six and two hundred and one of the State constitution; to provide for motions for new trials, and for appeals from interlocutory decrees that might cause irreparable injury, and from all final judgments in such suits.

Be it enacted by the General Assembly of the State of Louisiana, etc. That all suits for the removal from office of district attorneys, clerks of courts, sheriffs, coroners, recorders, justices of the peace, or of any other parish, municipal or ward officer, for any of the causes specified in article one hundred and ninety-six of the State constitution, shall be instituted before the district court having jurisdiction over the place of defendant's domicile, by the district attorney, or by the counsel appointed by the court in the case provided by the constitution, in his name, on the relation of the State, and he shall allege, with the other essential allegations, that the writ is instituted on the written request and information of ten, twenty-five or more resident citizens and taxpayers, whose names shall be set forth likewise in the petition. Such suits in the parish of Orleans shall be instituted before the Civil District Court.

Sec. 2. *Be it further enacted, etc.* That the citizens and taxpayers at whose request the suit is brought, shall be liable to the costs of the suit, and shall be bound to pay the same, as the attorney of the State in conducting the same, until it shall have been finally disposed of, and such suits shall be tried by a jury of twelve men.

Sec. 3. *Be it further enacted, etc.* That in all cases instituted to remove an officer on the ground of his incompetency, arising out of his want of the knowledge necessary to enable him to perform the duties of his office, or of any mental incompetency uniting him for the office, the court may, on its own motion, or on that of any party to the suit, cause the defendant to come before it, in person and in open session, to answer any pertinent question which may be addressed to him; as each question is put to him the clerk shall write it down and number it, and as each is put the defendant shall, with his own hand, write on a separate paper his answer, and number it to correspond with the number of the question, and this writ out being permitted to leave the presence of the court or to have recourse to the assistance of any person, book, paper or memorandum whatsoever; if defendant be unable to write, the clerk shall install him, and shall be stated by him, under oath, and the clerk shall take down his answers in writing; provided, that questions propounded to said officer shall not be foreign to the duties of his office. In case of appeal the original paper containing the answers to the questions shall be sent with and form a part of the transcript, the clerk retaining a certified copy of the same. In all other cases of removal defendant may be summoned and examined under oath, as any other witness.

Sec. 4. *Be it further enacted, etc.* That either party to a suit brought pursuant hereto may demand a trial by jury; provided, that the plaintiff may pray for jury trial in his original

petition, and not thereafter, and that the defendant may pray for jury trial in his original answer, and not thereafter. In case either party prays for a jury during a term for which a jury has been drawn, the jury shall be summoned, and for which has been set aside, and there be time to do so and try the case before adjournment of the term, the court shall, at once, order the jury commissioners to draw a new jury, as the case may be, to try the case, if either party require it. If the term of court next succeeding that during which the jury is prayed for, or succeeding the time when such prayer is filed, if filed in vacation, be not a jury term, the case remaining undried, the judge shall order the jury commissioners to draw a special jury to appear at such term of court to try the case, and these rules shall apply to all succeeding terms within the same shall be finally tried. In all cases, when a special jury is ordered, the judge shall order the drawing of thirty qualified jurors who shall be summoned by service of notice in the usual form. On the trial the jury shall be impaneled as in jury trials in ordinary civil cases, and talesmen may be summoned as in other cases.

Sec. 5. *Be it further enacted, etc.* That either party to such suits may make motions for adjournment within the same delays, on the megroground and in the same manner and form as is provided in other cases before the district court.

Sec. 6. *Be it further enacted, etc.* That from all interlocutory decrees that might work irreparable injury, and from all final judgments in such cases, any party thereto or any of the citizens whose names are set forth in the petition may appeal, on giving bond in such sum as the court may fix in the order granting the same. Such appeal bond shall be given in manner and form as in other appeals in civil cases, and the appeal shall suspend the execution of the judgment appealed from. All such appeals must be taken and the bond furnished within ten days from the signing of the judgment, and shall be made returnable within ten days from the granting of the order of appeal to the appellate court, wherever it may be sitting, or wherever it may hold its next session.

Sec. 7. *Be it further enacted, etc.* That if on appeal, the case be remanded for further or another trial, it shall be had and proceeded with in the same manner as is provided in the foregoing sections, for the trial.

Sec. 8. *Be it further enacted, etc.* That the pendency of a suit to remove an officer shall not operate a suspension from office.

Sec. 9. *Be it further enacted, etc.* That judgments in all such suits shall become final and be executory as in other cases before the district courts of the State.

Sec. 10. *Be it further enacted, etc.* That if judgment in such suits be rendered against the defendant he shall be condemned to pay all costs, and if judgment be rendered in his favor the citizens at whose request the suit was brought shall be condemned jointly and in solidum to pay all costs.

R. N. OGDEN,
Speaker of the House of Representatives.

S. D. MCENERY,
Lieutenant Governor and President of the Senate.

Approved April 10, 1880.

LOUIS A. WILTZ,
Governor of the State of Louisiana.

A true copy:
WILLIAM A. STRONG,
Secretary of State.

No. 136. AN ACT

To carry into effect article 175 of the constitution of the State of Louisiana, and to secure to laborers and workmen the wages due them in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana, etc.* That laborers and workmen on buildings, streets, railroads, canals, ditches and other similar works, when their services are engaged by the proprietor or any agent of the proprietor upon any of the works above enumerated, shall have a first privilege upon the buildings or other works upon which their labor has been bestowed.

Sec. 2. *Be it further enacted, etc.* That when such works are done by a contractor or sub-contractor for a stipulated price, it shall not be lawful for any portions of such contract price to be paid or advanced to the contractor or to any sub-contractor until payment has been made to the proprietor or his agent due to the laborers or workmen under such contractors or sub-contractors, up to the date of such payment, nor shall any payments or advances be made to any such contractor or sub-contractor, except in proportion to work actually done and in such manner as to leave unpaid at all times, until the completion of the work, a sum sufficient to secure the bills for labor or work.

Sec. 3. *Be it further enacted, etc.* That any laborer or workman, in the event of non-payment by this act, of work done by any contractor or sub-contractor, may record his claim for such amount as will probably be due him at the expiration of the work; such recordation to act as a first privilege upon all such work, in event of the violation of the provisions of this law by the proprietor or his agents, in event of said recordation, the same shall be erased upon payment of the amount due, as above stipulated, by this act, from the books of the recorder of mortgages, at the expense of the party recording. In no case shall the recorder of mortgages charge more than fifty cents for recordation and twenty-five cents for erasure of privilege, as herein provided.

Sec. 4. *Be it further enacted, etc.* That the amounts to be paid by the owner to such laborers shall not exceed the amount each owner is bound for to his contractor at the time of recording.

R. N. OGDEN,
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Approved April 10, 1880.

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No. 138. AN ACT

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LOUIS A. WILTZ,
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No. 139. AN ACT

To carry into effect article 175 of the constitution of the State of Louisiana, and to secure to laborers and workmen the wages due them in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana, etc.* That laborers and workmen on buildings, streets, railroads, canals, ditches and other similar works, when their services are engaged by the proprietor or any agent of the proprietor upon any of the works above enumerated, shall have a first privilege upon the buildings or other works upon which their labor has been bestowed.

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R. N. OGDEN,
Speaker of the House of Representatives.

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Lieutenant Governor and President of the Senate.

Approved April 10, 1880.

LOUIS A. WILTZ,
Governor of the State of Louisiana.

A true copy:
WILLIAM A. STRONG,
Secretary of State.

No. 140. AN ACT

To carry into effect article 175 of the constitution of the State of Louisiana, and to secure to laborers and workmen the wages due them in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana, etc.* That laborers and workmen on buildings, streets, railroads, canals, ditches and other similar works, when their services are engaged by the proprietor or any agent of the proprietor upon any of the works above enumerated, shall have a first privilege upon the buildings or other works upon which their labor has been bestowed.

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Upper City Park. Referred to the Administrator of Police.

On motion the Council adjourned to Tuesday next, at 12 o'clock m.

N. S. ABRAHAM,
Assistant Secretary.

JUDICIAL ADVERTISEMENTS.

SHERIFF SALES.

Mrs. Valentine Vredenburg et al. vs. W. J. B. H. et al.

SIXTH DISTRICT COURT FOR THE PARISH OF ORLEANS, No. 23,000. By virtue of a writ of fieri facias, to me directed by the honorable the Sixth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, May 15, 1880, at 12 o'clock m., the following described property, to wit:

A PORTION OF GROUND, with the building thereon, situated in the square bounded by Batholomew, Chartres, Jeanne and Royal streets, designated by the order of the court, forming the corner of Chartres and Batholomew streets, measuring in American measure, thirty-five feet front on Chartres street by a depth of one hundred and ninety-six feet, less two feet front on Batholomew street, being the same property purchased by George H. W. one of the defendants herein, from George Brandt, by act passed before Joseph Dubou, notary public, dated twenty-fourth of November, 1875.

Seized in the above suit.

Terms—Cash on the spot.

J. R. ALGER GAUTHREAU,
Civil Sheriff of the Parish of Orleans.

mb21 28 my 13 15

E. M. Chevalley vs. John F. Micolet.

SECOND JUDICIAL DISTRICT COURT FOR THE PARISH OF ORLEANS, No. 23,000. By virtue of a writ of fieri facias, to me directed by the honorable the Second Judicial District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, May 15, 1880, at 12 o'clock m., the following described property, to wit:

A PORTION OF GROUND, with the building thereon, situated in the square bounded by Batholomew, Chartres, Jeanne and Royal streets, designated by the order of the court, forming the corner of Chartres and Batholomew streets, measuring in American measure, thirty-five feet front on Chartres street by a depth of one hundred and ninety-six feet, less two feet front on Batholomew street, being the same property purchased by George H. W. one of the defendants herein, from George Brandt, by act passed before Joseph Dubou, notary public, dated twenty-fourth of November, 1875.

Seized in the above suit.

Terms—Cash on the spot.

J. R. ALGER GAUTHREAU,
Civil Sheriff of the Parish of Orleans.

mb21 28 my 13 15

Frank Mariano vs. Michael Kopper.

THIRD DISTRICT COURT FOR THE PARISH OF ORLEANS, No. 23,000. By virtue of a writ of fieri facias, to me directed by the honorable the Third District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of this city, on SATURDAY, May 15, 1880, at 12 o'clock m., the following described property, to wit:

A PORTION OF GROUND, with the building thereon, situated in the square bounded by Batholomew, Chartres, Jeanne and Royal streets, designated by the order of the court, forming the corner of Chartres and Batholomew streets, measuring in American measure, thirty-five feet front on Chartres street by a depth of one hundred and ninety-six feet, less two feet front on Batholomew street, being the same property purchased by George H. W. one of the defendants herein, from George Brandt, by act passed before Joseph Dubou, notary public, dated twenty-fourth of November, 1875.

Seized in the above suit.

Terms—Cash on the spot.

J. R. ALGER GAUTHREAU,
Civil Sheriff of the Parish of Orleans.

mb21 28 my 13 15

Wang & Cottam vs. Mannion & Ellis.

SIXTH DISTRICT COURT FOR THE PARISH OF ORLEANS, No. 23,000. By virtue of a writ of fieri facias, to me directed by the honorable the Sixth District Court for the parish of Orleans, in the above entitled cause, I will proceed to sell at public auction, at the Merchants and Auctioneers' Exchange, Royal street, between Canal and Customhouse streets, in the Second District of