

ACT NO. 74 OF 1840

AN ACT To incorporate the town of Mandeville.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That, that space of ground, in the Parish of St. Tammany, comprised between the Lake Pontchartrain, the Grand Casting Bayou, and Florida street (south side) and the limits of the land of Lewisburg, shall be designated and known under the title of "Town of Mandeville" and that all free white inhabitants of the said town be, and they are hereby created a corporate body under the title of "Town of Mandeville" and under that title, they shall be capable as well as their successors, of suing and of being sued before any Courts, in all actions and matters whatsoever and they may have a common seal which they shall have a right to break, alter or renew at their pleasure; they shall be capable of holding and conveying moveable and immoveable property, and to erect public buildings in the said town for the use of the said corporation; provided that the said real estate shall be situated within the limits of the said town.

Sect. 2. Be it further enacted, &c., That all white free proprietors above twenty-one years of age, within the limits above designated, be and they are hereby authorized to meet on the second Monday of August next, and on the second Monday of August in each ensuing year, in any suitable place in said town, for the purpose of electing a Mayor and five Aldermen. But no one shall be eligible for the office of Mayor or Alderman unless he resides within the above mentioned limits and possesses therein a taxable property to the value of at least five hundred dollars.

Sect. 3. Be it further enacted, &c., That the elections of Mayor and Aldermen shall take place under the superintendence of the Parish Judge, of the Clerk of the Court and of the Sheriff of the Parish of St. Tammany. However, one or two amongst them shall be empowered to preside over the election in case of absence, incapacity or neglect on the part of the other or others; the election shall be made by the way of ballot; the ballot box shall be open from ten o'clock in the morning until four o'clock in the afternoon. The Parish Judge or the Clerk of the Court, or the Sheriff of the Parish shall in case of incapacity or neglect on the part of the two others shall give notice of the said election, ten days previous in three of the places most resorted to in the said town, and the one who shall obtain the greater number of votes for the office of Mayor shall be declared Mayor; and the five who shall obtain the greater number of votes for the offices of Aldermen, shall be declared Aldermen of the town of Mandeville; and serve during one year, from and after the day on which they shall have been elected; provided, however, that they shall continue in office until others duly qualified may have been elected in their stead. The Judges of the said elections shall make and sign a certificate for each of the persons so elected as Mayor or Aldermen of the town of Mandeville, and specifying the dates of the beginning and of the end of their functions; the Mayor and Aldermen shall be sworn before any magistrate duly commissioned, faithfully to fulfil the duties imposed upon them by this present Act.

Sect. 4. Be it further enacted, &c., That the Mayor and the five Aldermen shall be known under the name of "Town Council," of which, the Mayor shall be ex-officio president, having the right to vote and of giving his casting vote when the absence of one of the Aldermen shall render it necessary, and in case of a vacancy occasioned by the absence or incapacity of the Mayor, the Council shall appoint one of their members as president pro tempore.

Sect. 5. Be it further enacted, &c., That the Town Council shall have the power to appoint as many subordinate officers as they may deem necessary to preserve the peace and proper administration of the affairs of the said Town; that they shall appoint in each year a suitable and prudent person to be Treasurer of the Town; that person shall, before entering in office furnish such security as may appear sufficient to the said council, to answer for the faithful discharge of his duties. A majority of the town council shall form a quorum to administer the affairs; but it shall require a majority of the two-thirds of the whole council to pass a law or an ordinance, a majority of the two-thirds of the town council shall have the right to make by writing all regulations which should not be contrary to the dispositions of this charter or to the Constitution and Laws of the State or of the United States, which they shall deem necessary for the Police of the said town and to adopt such ordinances which they shall deem convenient in relation to the market house of the said town, its streets, walks, public roads and the draining, filling up, and the guard and patrols of the town. The council shall have the right to ordain and impose such fines which shall not exceed fifty dollars for each offence committed in violation of their regulations, which fines may be recovered before any Court or Justice of the Peace of a competent jurisdiction in the name of the Mayor of the said town and for the benefit thereof. The council shall have the right to impose such taxes which shall not exceed fifty per centum over the State Tax, on all property which have been taxed by the State, and situated within their jurisdiction, shall be able to impose a fine on the members who shall not assist at the sitting, to adjourn at the time and place which they may please, and to pass ordinances concerning their own members.

Sect. 6. Be it further enacted, &c., That all the powers devolved until this day upon the Police Jury of the Parish of St. Tammany, so far only as the incorporate limits of said town extend, be, and they are hereby transferred to the town council of the said town, except the imposing and collecting of the State taxes.

Sect. 7. Be it further enacted, &c., That the Mayor shall be ex-officio Justice of the Peace; that he shall be commissioned by the Governor; that he shall have the right to judge of all offenses committed against the laws, ordinances and regulations of the City Council; to collect such fines which the council shall have imposed against the violation of their regulations, and authorize the Constable of the town by warrant signed and sealed by him, to seize for the amount of the said judgment, and to expose for sale the property of the culpable, and the price thereof shall be delivered into the hands of the Treasurer. It shall be the duty of the Mayor to preside the sittings of the town council to sign all the regulations and ordinances to convene the said council every time it shall be necessary, to sign all warrants on the Treasurer for the payment of all sums of money as well as all the notes and other obligations binding the corporation, and generally, to superintend the execution of all the regulations and ordinances of the council.

Sect. 8. Be it further enacted, &c., That a majority of the three fourths of the elected members of the council shall have the power to destitute the Mayor, or one of the members of the council or any officer appointed by the council, Provided that the Mayor or any of the members of the council or any officer shall only be destituted but upon an accusation specified and substantiated by one or many worthy persons.

Sect. 9. Be it further enacted, &c., That in case of death or of resignation or destitution of the Mayor, or of one of the Aldermen, the Mayor, or the President pro tem. of the town council shall give ten days notice within the twenty days that such a vacancy shall have taken place, of an election to fill the said

vacancy, which election shall be presided by the Mayor of the President pro tempore of the town council and two of the members of the town council, who shall have the same powers and the same obligations as above prescribed to the Judges of the annual elections.

Sect. 10. Be it further enacted, &c., That it shall be the duty of the Treasurer of the said town to keep an exact account of all the moneys of the corporation received or paid by him, in a well bound book, and to submit the said book to the inspection of the Mayor and of the other members of the council, whenever he shall be so directed; and all sums of money deposited in his hands shall only be withdrawn therefrom on warrant of the Mayor.

Sect. 11. Be it further enacted, &c., That it shall be the duty of the Secretary to record in a well bound book which shall be kept by him to that effect, all the deliberations of the town council, at all the sittings which shall take place.

Sect. 12. And be it further enacted, &c., That it shall be the duty of the Constable of the town to pay into the hands of the Treasurer all sums of money collected by him for the use of the corporation, and to fill all other duties which may be prescribed to him by the council.

(Signed) WM. DEBUYS,
Speaker of the House of
Representatives.

(Signed) FELIX GARCIA,
President of the Senate.

Approved, March 24th, 1840.

(Signed) A. B. ROMAN,
Governor of the
State of Louisiana.

ACT NO. 262 OF 1853

AN ACT To amend an Act entitled "An Act to Incorporate the Town of Mandeville."

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That section second and third of said Act be amended and reenacted so as to read as follows:

Sec. 3. Be it further enacted, &c., That all persons entitled to vote for members of the general Assembly within the corporate limits of said town, are hereby authorized to meet on the second Monday of August in each year, in any suitable place in said town, for the purpose of electing a Mayor and five Aldermen; but no one shall be eligible for the office of Mayor and Aldermen, unless he possess the qualifications of a voter as aforesaid, and shall possess in said town taxable property to the value of at least five hundred dollars.

Sec. 3. Be it further enacted, &c., That the elections of Mayor and Aldermen shall take place under the superintendence of three Judges, or Commissioners of Election, to be appointed by the Police Jury of the parish of St. Tammany; however, any one or two of said Judges may act in case of the absence of each or either of the others. The polls shall be open at ten o'clock a.m., and close at four o'clock p.m. It shall be the duty of the clerk of Police Jury to give ten days' previous notice of said elections, by notices in three of the most public places in said town. The Judges of said elections shall make out and sign a certificate of election for each of the persons elected as Mayor or Aldermen of the town of Mandeville, and they shall take the oath prescribed by the Constitution, before any Justice of the Peace or Judge.

E. WARREN MOISE,
Speaker of the House of
Representatives.

W. F. GRIFFIN,
President pro tem. of
the Senate.

Approved, April 29th, 1853.

P. O. HEBERT,
Governor of the
State of Louisiana.

ACT NO. 121 OF 1948

House Bill No. 535.

By Mr. Rausch

An Act to amend and re-enact Section 2 of Act 74 of 1840 entitled "An Act to create the Town of Mandeville," as amended by Act 263 of 1853, as amended by Ordinance of the Town Council of the Town of Mandeville.

Whereas, notice of intention to apply for the passage of this Act has been published, and evidence of such publication exhibited, both as prescribed by Section 2 of Article IV of the Constitution of Louisiana of 1921, therefore:

Section 1. Be it enacted by the Legislature of Louisiana, that Section 2 of Act 74 of 1840, as amended by Act 262 of 1853, and as amended by Ordinance of the Town Council of Town of Mandeville, be amended and re-enacted so as to read as follows:

"Section 2. That the municipal election shall be held on the Second Monday of August next (August 9, 1948), and on the second Monday of August every four years thereafter. The officers elected shall qualify and enter upon the discharge of their duties on the first day of September, after their election and shall hold their office for four years, and until their successors are duly elected and qualified."

Section 2. That all laws or parts of laws in conflict herewith, be and the same are, hereby repealed.

Approved by the Governor: June 25, 1948.

A true copy:

WADE O. MARTIN, JR.,
Secretary of State.

**AN ACT ESTABLISHING THE BOUNDARIES OF THE TOWN OF MANDEVILLE, LOUISIANA,
AND REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH:**

SECTION 1. BE IT ENACTED ETC. that the boundaries of the Town of Mandeville, Louisiana, be, and they are hereby, fixed and established as set forth in Act No. 74 of 1840, which said Act incorporated said town, despite any action or purported action of any Town Council of such municipality.

SECTION 2. BE IT FURTHER ENACTED ETC. that all laws, or parts of laws, in conflict herewith, be, and the same are hereby, repealed.

AN ACT ESTABLISHING THE BOUNDARIES OF THE TOWN OF MANDEVILLE, LOUISIANA,
AND REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH:

SECTION 1. BE IT ENACTED ETC. that the boundaries of the Town of Mandeville, Louisiana, be, and they are hereby, fixed and established as set forth in Act No. 74 of 1840, which said Act incorporated said town, despite any action or purported action of any Town Council of such municipality.

SECTION 2. BE IT FURTHER ENACTED ETC. that all laws, or parts of laws, in conflict herewith, be, and the same are hereby, repealed.

AN ACT TO AMEND ACT NO. 74 of 1840, INCORPORATING THE TOWN OF MANDEVILLE, LOUISIANA: PROVIDING FOR THE APPOINTMENT OF A TOWN MARSHALL AND HIS ASSISTANTS BY THE MAYOR, WITH THE ADVICE AND CONSENT OF THE BOARD OF ALDERMEN: PROVIDING THAT SAID ACT NO. 74 OF 1840 SHALL OTHERWISE REMAIN IN FULL FORCE AND EFFECT: AND REPEALING ALL LAWS, OR PARTS OF LAWS, IN CONFLICT THEREWITH.

Section 1. BE IT ENACTED etc. that Act. No. 74 of 1840, incorporating the Town of Mandeville, Louisiana, be, and the same is hereby, amended by adding thereto the following section:

Section 12: (1) That the office of Town Marshall shall not be elective at the next election for Mayor and Town Aldermen;

(2) That the Town Marshall shall be appointed by the Mayor, with the advise and consent of the Board of Aldermen, commencing after the next municipal election, and after the mayor and board of aldermen have qualified.

Section 2. BE IT FURTHER ENACTED etc. that said Act No. 74 of 1840, as amended, shall otherwise remain in full force and effect.

Section 3. BE IT FURTHER ENACTED etc. that all laws, or parts of laws, in conflict herewith be, and they are hereby, repealed.