OFFICIAL.

CONSTITUTION

—OF THE—

TATE OF LOUISIANA.

opted in Convention at New Orleans, Saturday, March 7, 1868.

PREAMBLE.

We, the people of Louisiana, in order to ablish justice, insure domestic tranquil-, promote the general welfare, and se- e the blessings of liberty to ourselves our posterity, do ordain and establish constitution.

CONSTITUTION.

TITLE I.—BILL OF RIGHTS.

ARTICLE 1. All men are created free and al, and have certain inalienable rights; ong these are life, liberty, and the pur- of happiness. To secure these rights, ernments are instituted among men, iving their just powers from the con- t of the governed.

RT. 2. All persons, without regard to e, color, or previous condition, born or uralized in the United States, and sub- to the jurisdiction thereof, and resi- s of this state for one year, are citizens this state. The citizens of this state allegiance to the United States; and allegiance is paramount to that which owe to the state. They shall enjoy same civil, political, and public rights privileges, and be subject to the same s and penalties.

RT. 3. There shall be neither slavery involuntary servitude in this state, erwise than for the punishment of crime, reof the party shall have been duly victed.

RT. 4. The press shall be free; every on may freely speak, write, and pub- his sentiments on all subjects, being onsible for the abuse of this liberty.

RT. 5. The right of the people peace- to assemble and petition the govern- t, or any department thereof, shall r be abridged.

RT. 6. Prosecutions shall be by indict- t or information. The accused shall be led to a speedy public trial by an im- al jury of the parish in which the of- e was committed, unless the venue be ged. He shall not be compelled to evidence against himself; he shall the right of being heard by himself or sel; he shall have the right of meeting witnesses face to face, and shall have pulsory process for obtaining witnesses s favor. He shall not be tried twice the same offense.

RT. 7. All persons shall be bail- by sufficient securities, unless capital offenses, where the proof evident, or the presumption t, or unless after conviction, for any or offense punishable with death or sonment at hard labor. The privilege writ of habeas corpus shall not be nded.

RT. 8. Excessive bail shall not be re- d; excessive fines shall not be im- d; nor cruel or unusual punishments ted.

RT. 9. The right of the people to be se- n their persons, houses, papers, and against unreasonable searches and es shall not be violated; and no war- shall issue but upon probable cause, rted by oath or affirmation, and ularly describing the place to be ed, or the person or things to be d.

RT. 10. All courts shall be open; and person for injury done him in his goods, person, or reputation shall adequate remedy by due process of nd justice administered without de- or unreasonable delay.

RT. 11. No law shall be passed fixing ce of manual labor.

RT. 12. Every person has the natural worship God according to the dic- f his conscience. No religious test be required as a qualification for

RT. 13. All persons shall enjoy equal and privileges upon any con- e of a public character; places of business, or of public or for which a license is required by tate, parish, or municipal authority, deemed places of a public charac- shall be opened to the accommoda- or patronage of all persons, without on or discrimination on account of color.

RT. 14. The rights enumerated in this all not be construed to limit or other rights of the people not expressed.

E II.—LEGISLATIVE DEPARTMENT.

RT. 15. The legislative power of the all be vested in two distinct s; the one to be styled the house of tatives, the other the senate, and general assembly of the state of a.

RT. 16. The members of the house of tatives shall continue in office for s from the day of the closing of al elections.

RT. 17. Representatives shall be chosen on Monday in November every two the election shall be completed ay. The general assembly shallually on the first Monday in Janu- s a different day be appointed by their sessions shall be held at the overnment.

RT. 18. Every elector under this consti- all be eligible to a seat in the house entatives; and every elector who ed the age of twenty-five years, eligible to the senate; Provided, son shall be a representative or ses at the time of his election be ed elector of the representative ial district from which he is

RT. 19. Elections for members of the mbly shall be held at the several incts established by law.

RT. 20. Representation in the house of ives shall be equal and uniform; e first general assembly elected constitution shall be ascertained ed by the total population, each parish in the state being entitled to at least one representative. A census of the state by state authority shall be taken in the year eighteen hundred and seventy-five, and every ten years thereafter. In case of informality, omission, or error in the census returns from any parish or election district, the general assembly may order a new census taken in such parish or election district; but until the state census of eighteen hundred and seventy-five, the apportionment of the state shall be made on the basis of the census of the United States for the year eighteen hundred and seventy.

ART. 21. The general assembly, at the first session after the making of each enumeration, shall apportion the representation amongst the several parishes and representative districts, on the basis of the total population, as aforesaid. A representative number shall be fixed, and each parish and representative district shall have as many representatives as the number of its total population will entitle it to have; and an additional representative for any fraction exceeding one-half of the representative number. The number of representatives shall never exceed one hundred and twenty, nor be less than ninety.

ART. 22. Until an apportionment shall be made in accordance with the provisions of article 20, the representation in the senate and house of representatives shall be as follows:

For the parish of Orleans:

First representative district		Two
Second	" "	Three
Third	" "	Four
Fourth	" "	Two
Fifth	" "	Two
Sixth	" "	One
Seventh	" "	Two
Eighth	" "	One
Ninth	" "	Two
Tenth	" "	Three
Orleans, right bank		One
Ascension		Two
Assumption		Two
Avoyelles		Two
Baton Rogue, East		Three
Baton Rogue, West		One
Bienville		One
Bossier		Two
Caddo		Three
Calcasieu		One
Caldwell		One
Carroll		Two
Catahoula		One
Claiborne		Two
Concordia		Two
De Soto		Two
Feliciana, East		Two
Feliciana, West		One
Franklin		One
Iberville		Two
Jackson		One
Jefferson		Four
Lafayette		One
Lafourche		Two
Livingston		One
Madison		One
Morehouse		One
Natchitoches		Two
Ouachita		Two
Plaquemines		One
Pointe Coupee		Two
Rapides		Three
Sabine		One
St. Bernard		One
St. Charles		One
St. Helena		One
St. James		Two
St. John Baptist		One
St. Landry		Four
St. Martin		Two
St. Mary		Two
St. Tammany		One
Tensas		Two
Terrebonne		Two
Union		One
Vermillion		One
Washington		One
Winn		One
Total		One hundred and one

And the state shall be divided into the following senatorial districts, to wit:

The first, second, and third representative districts of New Orleans shall form one senatorial district, and elect three senators.

The fourth, fifth, and sixth representative districts of New Orleans shall form one district, and elect two senators.

The seventh, eighth, and ninth representative districts of New Orleans and the parish of St. Bernard shall form one district, and elect two senators.

The tenth representative district of New Orleans shall form one district, and elect one senator.

Orleans right bank and the parish of Plaquemines shall form one district, and elect one senator.

The parishes of Jefferson, St. Charles, and St. John Baptist shall form one district, and elect two senators.

The parishes of Ascension and St. James shall form one district, and elect one senator.

The parishes of Assumption, Lafourche, and Terrebonne shall form one district, and elect two senators.

The parishes of Vermillion and St. Mary shall form one district, and elect one senator.

The parishes of Calcasieu, Lafayette, and St. Landry shall form one district, and elect two senators.

The parishes of Livingston, St. Helena, Washington, and St. Tammany shall form one district, and elect one senator.

The parishes of Pointe Coupee, East Feliciana, and West Feliciana shall form one district, and elect two senators.

The parish of East Baton Rouge shall form one district, and elect one senator.

The parishes of West Baton Rouge, Iberville, and St. Martin shall form one district, and elect two senators.

The parishes of Concordia and Avoyelles shall form one district, and elect one senator.

The parishes of Tensas and Franklin shall form one district, and elect one senator.

The parishes of Carroll, Madison, and Morehouse shall form one district, and elect two senators.

The parishes of Ouachita and Caldwell shall form one district, and elect one senator.

The parishes of Jackson and Union shall form one district, and elect one senator.

The parishes of Bossier, Bienville, and Claiborne shall form one district, and elect two senators.

The parish of Caddo shall form one district, and elect one senator.

The parishes of De Soto, Natchitoches, and Sabine shall form one district, and elect two senators.

The parish of Rapides shall form one district, and elect one senator.

The parishes of Catahoula and Winn shall form one district, and elect one senator.

Thirty-six senators in all.

ART. 23. The house of representatives shall choose its speaker and other officers.

ART. 24. Electors in all cases except treason, felony, or breach of the peace, shall be privileged from arrest during their attendance on, going to, and returning from elections.

ART. 25. At its first session under this constitution, the general assembly shall provide by law that the names and residence of all qualified electors shall be registered, in order to entitle them to vote; but the registry shall be free of cost to the elector.

ART. 26. No person shall be entitled to vote at any election held in this state, except in the parish of his residence, and at the election precinct in which he is registered; Provided, That no voter in removing from one parish to another shall lose the right to vote in the former until he has acquired it in the latter.

ART. 27. The members of the senate shall be elected for the term of four years; and when assembled, the senate shall have power to choose its own officers, except as hereinafter provided.

ART. 28. The general assembly shall divide the state into senatorial districts whenever it apportions representation in the house of representatives.

ART. 29. No parish shall be divided in the formation of a senatorial district, the parish of Orleans excepted; and whenever a new parish shall be created it shall be attached to the senatorial district from which most of its territory is taken, or to another contiguous district, at the discretion of the general assembly, but shall not be attached to more than one district. The number of senators shall be thirty-six, and they shall be apportioned among the senatorial districts according to the total population of said districts.

ART. 30. In all apportionments of the senate the total population of the state shall be divided by the number thirty-six, and the result produced by this division shall be the senatorial ratio entitling a senatorial district to a senator.

Single or contiguous parishes shall be formed into districts having a population the nearest possible to the number entitling a district to a senator; and if the apportionment to make a parish or district fall short of, or exceed the ratio, then a district may be formed having not more than two senators; but not otherwise. No new apportionment shall have the effect of abridging the term of service of any senator already elected at the time of making the apportionment. After an enumeration has been made, as directed in the twentieth article, the general assembly shall not pass any law, till an apportionment of representation in both houses of the general assembly shall be made.

ART. 31. At the first session of the general assembly after this constitution goes into effect, the senators shall be divided equally by lot into two classes; the seats of the senators of the first class to be vacated at the expiration of the term of the first house of representaitves; those of the second class at the expiration of the term of the second house of representatives; so that one-half shall be chosen every two years successively. When a district shall have elected two senators, their respective terms of office shall be determined by lot between themselves.

ART. 32. The first election for senators shall be held at the same time with the election for representatives; and thereafter there shall be elections of senators at the same time with each general election of representatives, to fill the places of those senators whose term of office may have expired.

ART. 33. Not less than a majority of the members of each house of the general assembly shall form a quorum to transact business; but a smaller number may adjourn from day to day, and shall have full power to compel the attendance of absent members.

ART. 34. Each house of the general assembly shall judge of the qualifications, election, and returns of its members, but a contested election shall be determined in such manner as may be prescribed by law.

ART. 35. Each house of the general assembly may determine the rules of its proceedings, punish a member for disorderly conduct, and with a concurrence of two-thirds, expel a member, but not a second time for the same offense.

ART. 36. Each house of the general assembly shall keep and publish weekly a journal of its proceedings; and the yeas and nays of the members on any question, at the desire of any two of them, shall be entered on the journal.

ART. 37. Each house may punish by imprisonment any person not a member for disrespect and disorderly behavior in its presence, or for obstructing any of its proceedings; such imprisonment shall not exceed ten days for any one offense.

ART. 38. Neither house shall adjourn for more than three days, nor to any other place than that in which it may be sitting, during the sessions of the general assembly, without the consent of the other.

ART. 39. The members of the general assembly shall receive from the public treasury a compensation for their services, which shall be eight dollars per day during their attendance, going to, and returning from the sessions of their respective houses. This compensation may be increased or diminished by law, but no alteration shall take effect during the period of service of the members of the house of representatives by which such alteration shall have been made. No session shall extend beyond the period of sixty days, to date from its commencement; and any legislative action had after the expiration of said period of sixty days shall be null and void; but the first general assembly that shall convene after the adoption of this constitution may continue in session for one hundred and twenty days.

ART. 40. The members of the general assembly, in all cases except treason, felony, or breach of the peace, shall be privileged from arrest during their attendance at the sessions of their respective houses and going to or returning from the same; and for any speech or debate in either house shall not be questioned in any other place.

ART. 41. No senator or representative during the term for which he was elected, nor for one year thereafter, shall be appointed to any civil office of profit under this state which shall have been created, or the emoluments of which may have been increased during the time such senator or representative was in office.

ART. 42. No bill shall have the force of a law until on three several days it be read in each house of the general assembly, and free discussion allowed thereon, unless four-fifths of the house where the bill is pending may deem it expedient to dispense with this rule.

ART. 43. All bills for raising revenue shall originate in the house of representatives, but the senate may propose amendments as in other bills; Provided, it shall not introduce any matter under the color of an amendment which does not relate to raising revenue.

ART. 44. The general assembly shall regulate by whom and in what manner writs of election shall be issued to fill the vacancies which may occur in either branch thereof.

ART. 45. On the confirmation or rejection of the officers to be appointed by the governor, with the advice and consent of the senate, the vote shall be taken by yeas and nays; and the names of the senators voting for and against the appointments respectively shall be entered on the journals to be kept for the purpose, and made public on or before the end of each session.

ART. 46. Returns of all elections for members of the general assembly shall be made to the secretary of state.

ART. 47. In the year in which a regular election for a senator of the United States is to take place the members of the general assembly shall meet in the hall of the house of representatives on the second Monday following the meeting of the general assembly, and proceed to said election.

TITLE III.—EXECUTIVE DEPARTMENT.

ART. 48. The supreme executive power of the state shall be vested in a chief magistrate, who shall be styled the governor of the state of Louisiana. He shall hold his office during the term of four years, and together with the lieutenant governor, chosen for the same term, be elected as follows: The qualified electors for representatives shall vote for governor and lieutenant governor at the time and place of voting for representatives; the returns of every election shall be sealed up and transmitted by the proper returning officer to the secretary of state, who shall deliver them to the speaker of the house of representatives on the second day of the session of the general assembly then to be holden. The members of the general assembly shall meet in the house of representatives to examine and count the votes. The person having the greatest number of votes for governor shall be declared duly elected; but in case of a tie vote between two or more candidates, one of them shall immediately be chosen governor by joint vote of the members of the general assembly. The person having the greatest number of votes polled for lieutenant governor shall be lieutenant governor; but in case of a tie vote between two or more candidates, one of them shall be immediately chosen lieutenant governor by joint vote of the members of the general assembly.

ART. 49. No person shall be eligible to the office of governor or lieutenant governor who is not a citizen of the United States, and a resident of this state two years next preceding his election.

ART. 50. The governor shall be ineligible for the succeeding four years after the expiration of the time for which he shall have been elected.

ART. 51. The governor shall enter on the discharge of his duties on the second Monday in January next ensuing his election, and shall continue in office until the Monday next succeeding the day that his successor shall be declared duly elected, and shall have taken the oath or affirmation required by the constitution.

ART. 52. No member of congress or any person holding office under the United States government shall be eligible to the office of governor or lieutenant governor.

ART. 53. In case of impeachment of the governor, his removal from office, death, refusal or inability to qualify, or to discharge the powers and duties of his office, resignation or absence from the state, the powers and duties of the office shall devolve upon the lieutenant governor for the residue of the term, or until the governor, absent or impeached, shall return or be acquitted, or the disability be removed. The general assembly may provide by law for the case of removal, impeachment, death, resignation, disability, or refusal to qualify, of both the governor and the lieutenant governor, declaring what officer shall act as governor; and such officer shall act accordingly until the disability be removed, or for the remainder of the term.

ART. 54. The lieutenant governor or officer discharging the duties of governor, shall, during his administration, receive the same compensation to which the governor would have been entitled had he continued in office.

ART. 55. The lieutenant governor shall by virtue of his office be president of the senate, but shall only vote when the senate is equally divided. Whenever he shall administer the government, or shall be unable to attend as president of the senate, the senators shall elect one of their own members as president of the senate for the time being.

ART. 56. The governor shall receive a salary of eight thousand dollars per annum, payable quarterly on his own warrant.

ART. 57. The lieutenant governor shall receive a salary of three thousand dollars per annum, payable quarterly upon his own warrant.

ART. 58. The governor shall have power to grant reprieves for all offenses against the state, and, except in cases of impeachment, shall, with the consent of the senate, have power to grant pardons, remit fines and forfeitures after conviction. In cases of treason he may grant reprieves until the end of the next session of the general assembly, in which the power of pardoning shall be vested. In cases when the punishment is not imprisonment at hard labor, the party upon being reprieved by the governor shall be released if in actual custody until final action by the senate.

ART. 59. He shall be commander-in-chief of the militia of this state, except when they shall be called into the service of the United States.

ART. 60. He shall nominate and by and with the advice and consent of the senate appoint all officers whose offices are established by the constitution, and whose appointments are not herein otherwise provided for; Provided, however, That the general assembly shall have a right to prescribe the mode of appointment to all other offices established by law.

ART. 61. The governor shall have power to fill vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of the next session thereof, unless otherwise provided for in this constitution; but no person who has been nominated for office and rejected by the senate shall be appointed to the same office during the recess of the senate.

ART. 62. He may require information in writing from the officers in the executive department, upon any subject relating to the duties of their respective offices.

ART. 63. He shall, from time to time, give the general assembly information respecting the situation of the state, and recommend to their consideration such measures as he may deem expedient.

ART. 64. He may, on extraordinary occasions, convene the general assembly at the seat of government, or at a different place if that should have become dangerous from an enemy or from epidemic; and in case of disagreement between the two houses as to the time of adjournment, he may adjourn them to such time as he may think proper, not exceeding four months.

ART. 65. He shall take care that the laws be faithfully executed.

ART. 66. Every bill which shall have passed both houses shall be presented to the governor; if he approve he shall sign it; if he do not he shall return it with his objections to the house in which it originated, which shall enter the objections at large upon its journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of all the members present in that house shall agree to pass the bill, it shall be sent with the objections to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present in that house it shall be a law. But in such cases the vote of both houses shall be determined by yeas and nays, and the names of members voting for or against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the governor within five days after it shall have been presented to him, it shall be a law in like manner as if he had signed it, unless the general assembly, by adjournment, prevent its return, in which case the said bill shall be returned on the first day of the meeting of the general assembly after the expiration of said five days, or be a law.

ART. 67. Every order, resolution, or vote, to which the concurrence of both houses may be necessary, except on a question of adjournment, shall be presented to the governor, and before it shall take effect be approved by him, or, being disapproved, shall be repassed by two-thirds of the members present.

ART. 68. There shall be a secretary of state, who shall hold his office during the term for which the governor shall have been elected. The records of the state shall be kept and preserved in the office of the secretary; he shall keep a fair register of the official acts and proceedings of the governor, and when necessary shall attest them; he shall, when required, lay the said register and all papers, minutes, and vouchers relative to his office before either house of the general assembly, and shall perform such other duties as may be enjoined on him by law.

ART. 69. There shall be a treasurer of the state, and an auditor of public accounts, who shall hold their respective offices during the term of four years. At the first election under this constitution, the treasurer shall be elected for two years.

ART. 70. The secretary of state, treasurer, and auditor of public accounts shall be elected by the qualified electors of the state, and in case of any vacancy caused by the resignation, death, or absence of the secretary, treasurer, or auditor, the governor shall order an election to fill said vacancies; Provided, The unexpired term to be filled be more than twelve months; when otherwise, the governor shall appoint a person to perform the duties of the office thus vacant until the ensuing general election.

ART. 71. The treasurer and the auditor shall receive a salary of five thousand dollars per annum each. The secretary of state shall receive a salary of three thousand dollars per annum.

ART. 72. All commissions shall be in the name and by the authority of the state of Louisiana; and shall be sealed with the state seal, signed by the governor, and countersigned by the secretary of state.

TITLE IV.—JUDICIARY DEPARTMENT.

ART. 73. The judicial power shall be vested in a supreme court, in district courts, in parish courts, and in justices of the peace.

ART. 74. The supreme court, except in cases hereinafter provided, shall have appellate jurisdiction only; which jurisdiction shall extend to all cases when the matter in dispute shall exceed five hundred dollars; and to all cases in which the constitutionality or legality of any tax, toll, or impost of any kind or nature whatsoever, or any fine, forfeiture, or penalty imposed by a municipal corporation shall be in contestation, whatever may be the amount thereof; and in such cases the appeal shall be direct from the court in which the case originated to the supreme court; and in criminal cases, on questions of law only, whenever the punishment of death, or imprisonment at hard labor, or a fine exceeding three hundred dollars is actually imposed.

ART. 75. The supreme court shall be composed of one chief justice and four associate justices, a majority of whom shall constitute a quorum. The chief justice shall receive a salary of seven thousand five hundred dollars, and each of the associate justices a salary of seven thousand dollars annually, payable quarterly on their own warrants. The chief justice and he associate justices shall be appointed by the governor, with the advice and consent of the senate, for the term of eight years. They shall be citizens of the United States, and shall have practiced law for five years, the last three thereof next preceding their appointment in the state. The court shall appoint its own clerks, and may remove them at pleasure.

ART. 76. The supreme court shall hold its sessions in the city of New Orleans from the first Monday in the month of November to the end of the month of May. The general assembly shall have power to fix the sessions elsewhere during the rest of the year; until otherwise provided, the sessions shall be held as heretofore.

ART. 77. The supreme court, and each of the judges thereof, shall have power to issue writs of habeas corpus at the instance of persons in actual custody in cases when they may have appellate jurisdiction.

ART. 78. No judgment shall be rendered by the supreme court without a concurrence of a majority composing the court. Whenever the majority can not concur in consequence of the recusation of any member of the court, the judges not recused shall have power to call upon any judge or judges of the district courts, whose duty it shall be when so called upon to preside in the place of the judge or judges recused, and to aid in determining the case.

ART. 79. All judges, by virtue of their office, shall be conservators of the peace throughout the state. The style of all process shall be "The state of Louisiana." All prosecutions shall be carried on in the name and by the authority of the state of Louisiana, and conclude "against the peace and dignity of the same."

ART. 80. The judges of all courts whenever practicable shall refer to the law in virtue of which every definitive judgment is rendered; but in all cases they shall adduce the reasons on which their judgment is founded.

ART. 81. The judges of all courts shall be liable to impeachment for crimes and misdemeanors. For any reasonable cause the governor shall remove any of them, on the address of two-thirds of the members elected to each house of the general assembly. In every such case the cause or causes for which such removal may be required shall be stated at length in the address, and inserted in the journal of each house.

ART. 82. No duties or functions shall ever be attached by law to the supreme or district courts, or the several judges thereof, but such as are judicial; and the said judges are prohibited from receiving any fees of office, or other compensation than their salaries, for any official duties performed by them.

ART. 83. The general assembly shall divide the state into judicial districts, which shall remain unchanged for four years, and for each district court one judge, learned in the law, shall be elected for each district, by a plurality of the qualified electors thereof. For each district there shall be one district court, except in the parish of Orleans, in which the general assembly may establish as many district courts as the public interests may require. Until otherwise provided there shall be seven district courts for the parish of Orleans, with the following original jurisdiction: The first, exclusive criminal jurisdiction; the second, exclusive probate jurisdiction; the third, exclusive jurisdiction of appeals from justices of the peace; the fourth, fifth, sixth, and seventh district courts, exclusive jurisdiction in all civil cases, except probate, when the sum in contest is above one hundred dollars, exclusive of interest. These seven courts shall have such further jurisdiction, not inconsistent herewith, as shall be conferred by law.

The number of districts in the state shall not be less than twelve nor more than twenty. The clerks of the district courts shall be elected by the qualified electors of their respective parishes, and shall hold their office for four years.

ART. 84. Each of said judges shall receive a salary to be fixed by law, which shall not be increased or diminished during his term of office, and shall never be less than five thousand dollars. He must be a citizen of the United States, over the age of twenty-five years, and have resided in the state and practiced law therein for the space of two years next preceding his election. The judges of the district courts shall hold their office for the term of four years.

ART. 85. The district courts shall have original jurisdiction in all civil cases when the amount in dispute exceeds five hundred dollars, exclusive of interest. In criminal cases their jurisdiction shall be unlimited. They shall have appellate jurisdiction in civil ordinary suits, when the amount in dispute exceeds one hundred dollars, exclusive of interest.

ART. 86. For each parish court, one judge shall be elected by the qualified electors of the parish. He shall hold his office for the term of two years. He shall receive a salary and fees, to be provided by law. Until otherwise provided, each parish judge shall receive a salary of one thousand two hundred dollars per annum, and such fees as are established by law for clerks of district courts. He shall be a citizen of the United States and of this state.

ART. 87. The parish courts shall have concurrent jurisdiction with the justices of the peace in all cases when the amount in controversy is more than twenty-five dollars, and less than one hundred dollars, exclusive of interest. They shall have exclusive original jurisdiction in ordinary suits, in all cases when the amount in dispute exceeds one hundred dollars and does not exceed five hundred dollars, subject to an appeal to the district court in all cases when the amount in contestation exceeds one hundred dollars, exclusive of interest. All successions shall be opened and settled in the parish courts; and all suits in which a succession is either plaintiff or defendant may be brought either in the parish or district court, according to the amount involved. In criminal matters the parish courts shall have jurisdiction in all cases when the penalty is not necessarily imprisonment at hard labor or death, and when the accused shall waive trial by jury. They shall also have the power of committing magistrates and such other jurisdiction as may be conferred on them by law. There shall be no trial by jury before the parish courts.

ART. 88. In all probate matters, when the amount in dispute shall exceed five hundred dollars, exclusive of interest, the appeal shall be directly from the parish to the supreme court.

ART. 89. The justices of the peace shall be elected by the electors of each parish, in the manner to be provided by the general assembly. They shall hold office for the term of two years, and their compensation shall be fixed by law. Their jurisdiction in civil cases shall not exceed one hundred dollars, exclusive of interest, subject to an appeal to the parish courts in all cases when the amount in dispute shall exceed ten dollars, exclusive of interest. They shall have such criminal jurisdiction as shall be provided for by law.

ART. 90. In any case when the judge may be recused, and when he is not personally interested in the matters in contestation, he shall select a lawyer having the qualifications required for a judge of his court to try such cases. And when the judge is personally interested in the suit, he shall call upon the parish or district judge, as the case may be, to try the case.

ART. 91. The general assembly shall have power to vest in the parish judges the right to grant such orders and to do such acts as may be deemed necessary for the furtherance of the administration of justice; and in all cases the power thus granted shall be specified and determined.

ART. 92. There shall be an attorney general for the state, who shall be elected by the qualified electors of the state at large. He shall receive a salary of five thousand dollars per annum, payable quarterly on his own warrant, and shall hold his office for four years. There shall be a district attorney for each judicial district of the state, who shall be elected by the qualified electors of the judicial district. He shall receive a salary of fifteen hundred dollars, payable quarterly on his own warrant, and shall hold his office for four years.

ART. 93. There shall be a sheriff and coroner elected by the qualified electors of each parish, except the parish of Orleans, in the parish of Orleans there shall be elected by the qualified electors of the parish at large one sheriff for the criminal court, who shall be the executive officer of said court, and shall have charge of the parish prison. There shall also be elected by the qualified electors of the parish at large one sheriff, who shall be the executive officer of the civil courts, and who shall perform all other duties heretofore devolving upon the sheriff of the parish of Orleans, except those herein delegated to the sheriff of the criminal court. The qualified electors of the city of New Orleans, residing below the middle of Canal street, shall elect one coroner for that district, and the qualified electors of the city of New Orleans, residing above the middle of Canal street, together with those residing in that part of the parish known as Orleans right bank, shall elect one coroner for that district. All of said officers shall hold their office for two years; and receive such fees of office as may be prescribed by law.

ART. 94. No judicial powers, except as committing magistrates, in criminal cases, shall be conferred on any officers other than those mentioned in this title; except such as may be necessary in towns and cities; and the judicial powers of such officer shall not extend further than the cognizance of cases arising under the police regulations of towns and cities in the state. In any case where such officers shall assume jurisdiction over other matters than those which may arise under police regulations, or under their jurisdiction, as committing magistrates, they shall be liable to an action of damages in favor of the party injured, or his heirs; and a verdict in favor of the party injured shall, *ipso facto*, operate a vacation of the office of said officer.

TITLE V.—IMPEACHMENT.

ART. 95. The power of impeachment shall be vested in the house of representatives.

ART. 96. Impeachments of the governor, lieutenant governor, attorney general, secretary of state, auditor of public accounts, state treasurer, superintendent of public education, and of the judges of the inferior courts, justices of the peace excepted, shall be tried by the senate; the chief justice of the supreme court, or the senior associate judge thereof, shall preside during the trial of such impeachments. Impeachments of the judges of the supreme court shall be tried by the senate. When sitting as a court of impeachment the senators shall be upon oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the senators present.

ART. 97. Judgments in cases of impeachment shall extend only to removal from office, and disqualification from holding any office of honor, trust, or profit in the state; but the convicted parties shall nevertheless be subject to indictment, trial, and punishment according to law.

TITLE VI.—GENERAL PROVISIONS.

ART. 98. Every male person of the age of twenty-one years or upward, born or naturalized in the United States, and subject to the jurisdiction thereof, and a resident of this state one year next preceding an election, and the last ten days within the parish in which he offers to vote, shall be deemed an elector, except those disfranchised by this constitution, and persons under interdiction.

ART. 99. The following persons shall be prohibited from voting and holding any office: All persons who shall have been convicted of treason, perjury, forgery, bribery, or other crime punishable in the penitentiary, and persons under interdiction.

All persons who are estopped from claiming the right of suffrage by abjuring their allegiance to the United States government, or by notoriously levying war against it, or adhering to its enemies, giving them aid or comfort, but who have not expatriated themselves, nor have been convicted of any of the crimes mentioned in the first paragraph of this article, are hereby restored to he said right, except the following: Those who held office, civil or military, for one year or more under the organization styled "The Confederate States of America;" those who registered themselves as enemies of the United States; those who acted as leaders of guerrilla bands during the late rebellion; those who in the advocacy of treason wrote or published newspaper articles or preached sermons during the late rebellion, and those who voted for and signed an ordinance of secession in any state. No person included in these exceptions shall either vote or hold office until he shall have relieved himself by voluntarily writing and signing a certificate setting forth that he acknowledges the late rebellion to have been morally and politically wrong, and that he regrets any aid and comfort he may have given it; and he shall file the certificate in the office of the secretary of state, and it shall be published in the official ournal;

Provided, That no person who prior to the first of January, eighteen hundred and sixty-eight, favored the execution of the laws of the United States popularly known as the reconstruction acts of congress, and openly and actively assisted the loyal men of the state in their efforts to restore Louisiana to her position in the Union, shall be held to be included among those herein excepted. Registrars of voters shall take the oath of any such person as *prima facie* evidence of the fact that he is entitled to the benefit of this proviso.

ART. 100. Members of the general assem-