New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF THE STATE OF LOUISIANA

OFFICIAL:

PROCEEDINGS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA.

EXTRA SESSION.

JOURNAL OF THE SENATE.

Third Day's Session.

SENATE CHAMBER,
Wednesday, March 9, 1870.

The Senate met pursuant to adjournment.

Present: Hon. O. J. Dunn, Lieutenant Governor and President of the Senate; and Messrs. Anderson, Antoine, Bacon, Beares, Blackman, Braughn, Campbell, Coupland, Darrall, Egan, Jenks, Kelso, Lynch, Monette, Ogden, Packard, Pinchback, Poindexter, Ray, Todd, Whitney, Wilcox, Williams, Wittgenstein—24.

Prayer by the Chaplain, Rev. John Turner.

The reading of the minutes of the previous day's session was dispensed with.

MESSAGE FROM THE HOUSE.

OFFICE OF CHIEF CLERK,
House of Representatives, State of Louisiana
New Orleans, March 9, 1870.

To the President and Members of the Senate:

GENTLEMEN—I am directed to inform the Senate that the House has concurred in the following Senate bill, viz:

Senate bill No. 222. An act relative to the powers of the courts in the city of New Orleans, etc.

And to ask concurrence in the following House resolution, viz:

House resolution relative to the death of the Hon. M. Raymond, etc.

Respectfully,
WILLIAM VIGERS,
Chief Clerk of the House of Representatives.

On motion of Mr. Pinchback, the resolution just received from the House was taken up, being as follows:

By Mr. Antoine, of Orleans:

WHEREAS, It has pleased an all-wise Providence to remove from our midst our fellow-Representative from the parish of Jefferson, the Hon. M. Raymond; therefore be it

Resolved, That in respect to the memory of our late colleague, the Hon. M. Raymond, that this House adjourn to meet to-morrow evening at seven o'clock; and be it further

Resolved, That the Clerk of this House be directed to transmit a copy of these resolutions to the Senate.

Adopted by the House of Representatives at its session of March 8, 1870.

Mr. Jenks offered the following resolution:

Resolved, That when the Senate adjourns to-day it shall be until seven o'clock this evening.

Mr. Braughn moved, as a substitute therefor, "that the Senators representing the Sixth Senatorial District be appointed as a special committee to present resolutions expressing the respect of the Senate to the memory of M. Raymond, deceased, late member of the House of Representatives."

Which substitute was ordered to lie on the table.

Mr. Jenks' resolution was then adopted.

Mr. Pinchback moved that the Senate do now adjourn in respect to the memory of M. Raymond, deceased, late member of the House of Representatives.

Adopted.

The President then announced that the Senate stood adjourned until seven o'clock P. M. this day.

Third Day—Evening Session.

SENATE CHAMBER,
Wednesday Evening, March 9, 1870.

The Senate met pursuant to adjournment, at seven o'clock P. M.

Present: Hon. O. J. Dunn, Lieutenant Governor and President of the Senate, and Messrs. Anderson, Antoine, Bacon, Beares, Blackman, Braughn, Campbell, Coupland, Darrall, Egan, Foute, Futch, Jenks, Jewell, Kelso, Lynch, Monette, Ogden, Packard, Pinchback, Poindexter, Ray, Smith, Todd, Whitney, Wilcox, Williams, Wittgenstein—28.

MESSAGE TO THE HOUSE.

The Secretary asked the concurrence of the House in Senate bill No. 218, to incorporate the town of Washington, in the parish of St. Landry.

No. 29, to authorize the Governor in certain cases to issue warrants, etc.

No. 254, to incorporate the Alexandria, Homer and Fulton Railroad Company, etc.

No. 15, to incorporate the Farmers' and Manufacturers' Aid Association.

REPORTS OF COMMITTEES.

Mr. Ray, from the Judiciary Committee, reported on the following bills:

Favorably on Senate bill No. 253, "For the relief of John Amrein."

Favorably on House bill No. 203, "Authorizing the Board of Control to sue for the indebtedness of parties to the Louisiana Penitentiary previous to the lease."

Favorably, by substitute, on Senate bill No 51, "To establish an additional district court for the parish of Orleans," etc.

Mr. Antoine, from the Committee on Claims, reported back Senate bill No. 238, "for the relief of A. S. Landry, of Ascension parish, of Louisiana," with recommendation that it be referred to the Finance Committee.

So referred.

Mr. Ray, from the Judiciary Committee, reported favorably on Senate bill No. 58, "To protect game."

Mr. Coupland, from the Committee on Commerce and Manufactures, reported favorably on House bill No. 207, "Providing for the construction of additional basins on the New Canal."

Mr. Lynch, from the Committee on Railroads, reported favorably on Senate bill No. 168, "To prevent injury and loss of life to persons on railroad cars," etc.

Mr. Whitney, from the Committee on Quarantine, reported favorably, with amendments, on Senate bill No. 239, "To amend an act entitled an act to establish quarantine for the protection of the State."

Which, under a suspension of the rules, was taken up and the amendments of the committee were read as follows:

Fill the blank in section two by inserting "two thousand four hundred dollars."

Adopted.

Amend by striking out all after "that," in the first line, to the word "the," in line eight.

Adopted.

The bill was then adopted as a whole and ordered engrossed.

The constitutional rule was further suspended by a four-fifths affirmative vote, the bill read its third and last time, and finally adopted with its title.

Under a suspension of the rules, House bill No. 63 (file of 1869), "To amend and re-enact an act entitled an act to establish a Board of Flour Inspectors for the city and port of New Orleans," approved March 28, 1867, and numbered 159.

Substitute for section six:

SEC. 6. Be it further enacted, etc., That all flour imported or coming to the port of New Orleans, for sale, shall be examined and inspected by the said Board of Flour Inspectors, for the purpose of solely to ascertain its purity and soundness, and to ascertain if it is of lawful weight, but not for the purpose of classification and grading; and if said flour is sound pure wheat flour and of fully legal weight, it shall be the duty of said inspectors to put their official brand upon each barrel; but if not sound and of full weight, they shall refuse to brand it at all. Said examination may be made by said inspectors in such portions of any parcel of flour as shall satisfy them of the character of the whole, and it may be made either on the levee or wharf, or in warehouse, as the owner or receiver of the flour may elect. The fee for this examination and inspection is fixed at two cents per barrel, whether branded or not, to be paid by the receiver or owner of the flour. It shall not be lawful to sell flour in this city and port of New Orleans as sound and merchantable unless each barrel has the official brand of said inspectors. It shall also be the duty of said inspectors to grade and classify flour, when called upon to do so by either buyers and sellers of flour, and to brand each barrel according to such grades, if called upon so to do, and they shall have the right to charge and collect an additional fee, not to exceed two cents per barrel to be paid by the party demanding the inspection. An appeal may be made by any party feeling aggrieved, from any decision of said flour inspectors to the committee appointed by the Chamber of Commerce, whose decision shall be final, and it shall be the duty of said Flour Inspectors to obey and carry out said decision.

The amendment was adopted, and the bill adopted as a whole.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill read a third and last time, and finally adopted with its title.

Under a suspension of the rules, the following bills were introduced without notice:

By Mr. Wittgenstein—A bill to be entitled "An act granting ferry privileges to Max Schonberg and William Murrell, their heirs or assigns, across the Bayou Lafourche, at Donaldsonville, Louisiana," which wa sread first time.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill read its second time, and ordered engrossed for a third reading.

The constitutional rule was further suspended by a four-fifths affirmative vote, the bill read a third and last time, and finally adopted with its title.

By Mr. Poindexter—A bill to be entitled "An act to incorporate the Bayou Castaing, Mandeville and Pearl River Transportation Company, and to aid the same, etc."

Which was read first time.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill put on second reading, and referred to the Committee on Railroads.

By Mr. Egan—A bill to be entitled "An act to provide for the appointment of inspector of corn and other grain, for the parish of Orleans."

Which was read its first time.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill read a second time.

The constitutional rule was further suspended by a four-fifths affirmative vote, the bill read a third and last time, and finally adopted with its title.

Under a suspension of the rules the following entitled bill was called up:

House bill No. 13, "To divide the parish of Ouachita into wards, and providing for appointment of Police Jurors for the same" (from second reading file).

Which was read second time.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill read its third and last time and finally adopted with its title.

Under a suspension of the rules, Mr. Packard introduced the following entitled bill: "An act to incorporate the New Orleans Homeopathic and Allopathic College."

Which was read its first time.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill read a second time, and ordered engrossed for a third reading.

The constitutional rule was further suspended by a four-fifths affirmative vote, the bill read its third and last time, and finally adopted with its title.

Mr. Beares asked a suspension of the rules to introduce a resolution, which was refused by the following vote:

Yeas: Todd—1.

Nays: Anderson, Antoine, Bacon, Beares, Blackman, Braughn, Campbell, Coupland, Darrall, Egan, Futch, Jenks, Jewell, Kelso, Lynch, Monette, Ogden, Packard, Pinchback, Poindexter, Ray, Smith, Whitney, Wilcox, Williams, Wittgenstein—26.

Mr. Darrall, from the Committee on Enrollment, submitted the following report:

GENERAL ASSEMBLY OF LOUISIANA,
Senate Enrollment Room,
New Orleans, March 9, 1870.

To the Honorable President and Members of the Senate:

GENTLEMEN—Your Committee on Enrollment beg leave to report as having been duly engrossed the following bills, viz:

Senate bill No. 218, An act to incorporate the town of Washington in the Parish of St. Landry, etc.

Senate bill No. 29, an act to authorize the Governor, in certain cases, to issue warrants for the apprehension of persons charged with murder, etc.

Senate bill No. 254, an act to incorporate the Alexandria, Homer and Fulton Railroad Company, and to grant State aid thereto.

Senate bill No. 25, an act to incorporate the Farmers' and Manufacturers' Aid Association.

Respectfully,
C. B. DARRALL,
Chairman.

PREFERENCE SPECIAL ORDER—NO. 1.

House bill No. 132, an act to extend the limits of the parish of Orleans and to change the boundary of the parishes of Orleans and Jefferson, and to consolidate the cities of New Orleans and Jefferson, and to provide for the government of the city of New Orleans and the administration of the affairs thereof, and to repeal an act entitled "An act to incorporate the city of New Orleans," approved February 23, 1852; and to repeal all acts amendatory thereto; and to repeal an act entitled "An act to incorporate the city of Jefferson," approved March 9, 1850, and to repeal all acts amendatory thereto; and to provide for the funding of the floating indebtedness of the corporations as consolidated by this act, was then taken up section by section.

The first section was read.

Mr. Smith moved to strike out the first section, which was lost by the following vote:

Yeas: Anderson, Antoine, Bacon, Beares, Braughn, Campbell, Coupland, Darrall, Egan, Futch, Jewell, Kelso, Lynch, Pinchback, Poindexter, Ray, Whitney, Wilcox, Williams, Wittgenstein—20.

Nays: Blackman, Jenks, Monette, Ogden, Packard, Smith, Todd—7.

Mr. Todd offered the following amendment: "Strike out from the word "along," in line fourteen, to the word "to," in line fourteen inclusive, and insert in lieu thereof the words "in a northerly direction to the terminus of the New Orleans and Carrollton at."

Adopted.

The section was then adopted as amended.

Section two was read.

Mr. Packard moved to strike out lines five, six and seven, and insert the word "river" in line eight.

Mr. Pinchback moved to lay the amendment on the table, which was lost by the following vote:

Yeas: Antoine, Beares, Campbell, Coupland, Kelso, Monette, Pinchback, Ray, Wittgenstein—9.

Nays: Anderson, Bacon, Blackman, Braughn, Darrall, Egan, Futch, Jenks, Jewell, Lynch, Ogden, Packard, Poindexter, Smith, Todd, Wilcox, Whitney, Williams—18.

Mr. Pinchback moved to pass over the section until the remainder of the section had been acted upon.

Mr. Wittgenstein moved to postpone consideration of the bill until to-morrow at one o'clock.

Lost on a division—yeas 9, nays 17.

The question recurring upon Mr. Pinchback's motion, it was lost.

The motion to adopt the amendment of Mr. Packard was then put and lost by the following vote:

Yeas: Bacon, Blackman, Braughn, Egan, Foute, Futch, Jenks, Jewell, Ogden, Packard, Smith, Whitney, Williams—13.

Nays: Antoine, Beares, Campbell, Coupland, Darrall, Kelso, Lynch, Monette, Pinchback, Poindexter, Ray, Todd, Wilcox, Wittgenstein—14.

Mr. Lynch moved to reconsider the vote by which the amendment of Mr. Packard was lost.

Mr. Antoine moved to lay that motion on the table.

Lost by the following vote:

Yeas: Antoine, Beares, Coupland, Darrall, Kelso, Monette, Pinchback, Poindexter, Ray, Smith, Todd, Wilcox, Wittgenstein—13.

Nays: Anderson, Bacon, Blackman, Braughn, Egan, Foute, Futch, Jenks, Jewell, Lynch, Ogden, Packard, Whitney, Williams—14.

The question recurring on the motion to reconsider, it was adopted by the following vote:

Yeas: Anderson, Bacon, Blackman, Braughn, Egan, Futch, Jenks, Jewell, Lynch, Ogden, Packard, Smith, Whitney, Williams—14.

Nays: Antoine, Beares, Campbell, Coupland, Darrall, Foute, Kelso, Monette, Pinchback, Poindexter, Ray, Wilcox, Wittgenstein—13.

Mr. Pinchback moved to postpone further consideration of the bill until half-past twelve o'clock to-morrow.

Which was adopted by the following vote:

Yeas: Antoine, Beares, Blackman, Campbell, Coupland, Darrall, Kelso, Lynch, Monette, Pinchback, Poindexter, Smith, Todd, Wilcox, Wittgenstein—15.

Nays: Anderson, Bacon, Braughn, Egan, Foute, Futch, Jenks, Jewell, Ogden, Packard, Ray, Williams—12.

PRECEDENCE SPECIAL ORDER—NO. 2.

House bill No. 47, "An act to regulate public education in the State of Louisiana, and to raise a revenue for that purpose."

The question pending being the adoption of section two of House bill, as amended, as section three.

Adopted.

The following amendments of the Committee on Education of the Senate were read, and adopted separately as read:

In section three of the House bill strike out all after the word "constituted," in ninth line, to the end of the section, and insert "shall hold one regular annual meeting in New Orleans at the office of the Superintendent of Public Education, commencing the first Monday in January. The Superintendent of Public Education may call special meetings upon the written request of any five members."

And that section three of the House bill so amended shall be section four.

In section four (4) of the House bill, in the ninth (9) line, after the word "State" insert the words "subject to the provisions of this act."

And that section four (4) of the House bill so amended shall be section five (5).

In section five (5) of the House bill, strike out lines six, seven and eight, and insert the words "subject to."

And that this section (5), so amended, be section six (6).

To correct the title of the Superintendent of Public Education, wherever it may occur, so as to read uniformly and in accordance with law, which is "Superintendent of Public Education."

That the following shall be section seven:

Be it further enacted, etc., That the Division Superintendent shall, once in each three months, at such place as he may designate in his decision, not to be a less number than one for each two parishes, meet all those who are desirous of passing an examination, and for the transaction of all other business within his jurisdiction, in some suitable room at the seat of justice of the parish, or at any other place, as occasion may require, and shall notify the parish judge of the place of meeting.

That the following shall be section eight:

Be it further enacted, etc., That the Division Superintendent may revoke the certificate of any teacher in the parish for any reasons which would have justified the withholding thereof when the same was given. And the Board of School Directors, upon sufficient cause shown, may dismiss any teacher from any school in the district.

That the following shall be section nine:

Be it further enacted, etc., That on or before the fifth day of October in each year, he shall make a report to the State Board of Education, containing a digest of the reports to him by the secretaries of the District Boards, and such other matters as he shall be directed to report by the said secretary, and such as he himself may think pertinent and material, and especially such as will show the condition of the schools under his charge. He shall also suggest such improvements in the system as he may think judicious. He shall also, by the fifth day of October in each year, file with the Recorder of the parish an abstract of the number of youths between the ages of six and twenty-one years, residing in each ward and school district within his parish.

Should he fail to make either of the repors required in the last section, he shall forfeit to the school fund of his district the sum of fifty dollars, and shall, besides, be liable for all damages caused by such neglect.

That the following shall be section 10:

Be it further enacted, etc., That he shall at all times conform to the instructions of the State Board of Education as to matters within their jurisdiction. He shall serve as the organ of communication between the State Board of Education and the Superintendent of Public Education and District Board of School Directors. He shall transmit to the District Board of School Directors or teachers all blanks, circulars and other communications which are to them directed, and shall entertain and decide all appeals taken from the decisions of District Boards of School Directors.

He shall organize and conduct, once in each year, for his own division, at such time as, after conference with the Superintendent of Public Education, may be designated, a teachers' institute, at some central locality in the division, to which access is convenient, and where the teachers will receive the encouragement of hospitality.

In this work the Superintendent will be aided by a professor from the normal school, or by some practical teacher appointed by the State Superintendent.

He shall also encourage and assist at teachers' associations, to be convened four times each year, if practicable, on the last Saturday of some month in each quarter, in each parish or in several parishes united, urging the attendance of the teachers of the same, for the purpose of mutual conference and instruction in their duties.

He shall also report the number of private schools, academies and colleges in the division; number of pupils, male and female; and all other information, in such form as the State Superintendent may prescribe, so as to present a full view of their educational facilities.

He shall perform such duties and make such reports, in addition to those required in this act, as the State Board of Education may determine.

In section six of the House bill, strike out all after the word "office," in the twenty-second line, to the end of the section, and that section six, so amended, shall be section eleven.

That section seven, of the House bill, be section twelve.

To amend section eight, of House bill, in line seven, by striking out the word "two" and inserting the word "three," and striking out the figures "2000" and inserting the figures "3000."

And that section eight of the House bill, so amended, shall be section thirteen.

The following shall be section fourteen:

Be it further enacted, etc., That the Superintendent of Public Education shall be charged with the general supervision of all the Division Superintendents, and all the common, high or Normal Schools of the State; and he shall see that the school system is, as early as practicable, carried into effect, and put in uniform operation. With a general view to these special duties, he shall meet the Division Superintendents at least once in each year, in each division, at such time and place as he may appoint, giving due notice of such meeting; and it is hereby made the duty of the said Division Superintendents to attend each meeting, the object of which shall be to accumulate valuable facts relative to common schools, to compare views, discuss principles, and in general to listen to all communications and suggestions, and to enter into all discussions relative to the compensation of teachers, their qualifications, branches taught, method of instruction, text books, division libraries, apparatus, and of all other matters embraced in the common school system. He shall visit such schools as he may have it in his power to do, and witness the manner in which they are conducted. His traveling expenses incurred in such visits shall be paid by the State Treasurer out of the public school fund, upon his warrant; Provided, That the same shall not exceed the sum of one thousand dollars in any one year. The Superintendent of Public Education shall cause as many copies of this act, and all other school acts in force, with the forms, regulations and instructions herein contemplated thereto annexed, to be, from time to time, printed and distributed among the Division Superintendents, as he shall deem expedient, directing the latter to distribute the same among the several school divisions of the State. He shall also prepare, and cause to be distributed to the several Division Suterintendents, a form of certificate in blank, to be granted to teachers; also, all other blank forms necessary to be used in carrying out this act, and all other acts. He shall annually, on the first day of January, report to the Auditor of Public Accounts, the number of persons in each parish of the State between the ages of six and twenty-one years. He shall make a report to the General Assembly and the State Board of Education at each session thereof, which shall embrace—

First—A statement of the condition of the common school divisions therein, the number of schools in the State, the number of scholars between six and twenty-one years of age, and also the number in each parish who have attended school the previous year, as returned by the several Division Superintendents, the number of books in the division libraries, and the value of all apparatus in the schools.

Second—Such plans as he may have matured for the management and improvement of the common school fund, and for the better and more perfect organization and efficiency of common schools.

Third—All such matters and things relating to his office, and to the common schools, as he shall deem expedient to communicate.

Fourth—He shall cause his report to be printed, and shall present five hundred copies thereof to each body, on or before the second day of their session, for distribution.

The following shall be section fifteen;

Be it further enacted, etc., That whenever reasonable assurance shall be given by the Division Superintendent of any division to the Superintendent of Public Education, that a number of not less than thirty teachers desire to assemble for the purpose of holding a teachers' institute in said division, to remain in session for a period of not less than six working days; he shall appoint such time and place for said meeting and such lectures as the said teachers shall suggest, and shall give due notice thereof; and for the purpose of defraying the expenses of said institutes there is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, a sum not exceeding fifty dollars annually, for one such institute in each division held as aforesaid, which the said Superintendent of Public Education shall immediately transmit to the Division Superintendent in whose division the institute shall be held, who shall pay out the same as the institute shall direct, provided, that a like sum shall be contributed by the division.

The following shall be section sixteen:

Be it further enacted, etc., That the State Board of Education shall appoint for each incorporated city or town in the State, except in the city of New Orleans, directors of not less than three (3) nor more than five (5) members; who shall exercise all the powers and duties herein conferred upon District Boards of Directors, and shall hold their offices for two years, and until their successors shall be duly elected and qualified according to law.

That section nine of the House bill be stricken out.

That section ten of the House bill be stricken out.

In section eleven, of the House bill strike out all from the second to the eighth lines, inclusive, and insert at end of section, "said boards shall have the powers and duties of, and be governed by the regulations herein provided for District Boards of School Directors in other parishes, and that the remaining part of said section be section seventeen.

In section twelve of the House bill, strike out all in line ten after the word "parish" to the end of the section, and that this section, so amended, shall be section eighteen.

In section thirteen of the House bill, strike out, in line seventeen, the words "who shall commission them," and all to the end of the section.

And section thirteen of the House bill, so amended, be section nineteen.

That section fourteen of the House bill be section twenty.

In section fifteen of the House bill, strike out all from the sixth line to the end of the section, inclusive, and insert the following:

First—To elect from among their members a president, secretary and treasurer.

The treasurer shall give bonds in an amount not less than five thousand dollars, to be approved by the Parish or District Judge and the Recorder of the parish, and a copy thereof to be forwarded to the Superintendent of Public Education, for the faithful performance of his duties under this act. Said bond may, from time to time, be increased by the order of the board or of the District Judge, in proportion to the amount of school funds in the hands of the Treasurer. The board shall, from time to time, examine the accounts of the Treasurer and settle them.

Second—To appoint for each ward school district in their parish a board of three district school directors. Said district school directors shall hold their office for two years from the time of their appointment and until their successors are duly elected or appointed and qualified.

Third—To visit and examine the schools of the several districts of the parish, from time to time, and to meet and advise with the several boards of district school directors as occasion may require.

Fourth—To report to the State Board of Education and to the Superintendent of Public Education all deficiencies in the schools, or neglect of duty on the part of teachers, directors, division superintendents or other officers.

Fifth—To receive from the State Tax Collector all proceeds of any parish school tax levied by the police jury in accordance with this law, and to apportion the same among the several ward school districts of their parish in proportion to the number of persons in their district between the ages of six and twenty one years.

Sixth—To make such needful by-laws and regulations for their own government, not inconsistent with this law, as they may deem proper.

The treasurer of the board shall receive all money on account of the board, and pay out the same on warrants signed by the president and countersigned by the secretary, and he shall keep a correct account of all expenses and receipts in books provided for that purpose, which shall always be open for inspection.

He shall render a monthly report to the board and an annual report to the division superintendent, on or before the tenth day of January.

And that section fifteen of the House bill, so amended, be section twenty-one.

That sections sixteen, seventeen, eighteen, nineteen, twenty, twenty-one and twenty-two of the House bill be stricken out. That the following shall be section twenty-two.

SEC. 22. Be it further enacted, etc., That each Police Jury, or other ward, that is now, or may be hereinafter organized in the parishes of this State, is hereby declared a school district for all the purposes of this act. That the District Board of School Directors, of each school district, which is now or may hereafter be organized in the State, is hereby made a body corporate by the name of the "Ward District of —— ——, in the parish of ———, and State of Louisiana," and in that name may hold property, become a party to suits and contracts, and do other corporate acts. That the District Board of School Directors shall hold their regular meetings on the first Saturday after the first Monday in April and October in each year, and may hold such special and adjourned meetings as occasion may require. They shall organize by electing from their own number a president, treasurer and secretary. That the duties of the directors shall be as follows:

First—To make all contracts, purchases, payments and sales necessary to carry out any vote of the district; provided that before erecting any schoolhouse they shall consult with the Superintendent of Public Education as to the most approved plan for such building.

Second—To admit pupils not belonging to the district, as provided for in section twenty-five of this act, to their schools, on such terms as they may agree upon.

Third—To determine the number of schools which shall be established and the length of time each shall be taught, subject to the provisions of section twenty-three of this act.

Fourth—To fix the site for each schoolhouse, taking into consideration the wants and necessities of the people of each portion of the district.

Fifth—To establish graded or union schools wherever they may be necessary; and they may, as occasion requires, select a person who shall have the general supervision of the schools in their districts, subject to rules and regulations of the board.

Sixth—To determine what branches shall be taught in the schools of their district.

Seventh—To require the Secretary and Treasurer each to give bond to the district in such penalty, and with such sureties as they may determine upon, conditioned for the faithful performance of their duties under this act. The bond shall be filed with the President of the Board, and a copy of the same shall be sent to the Superintendent of Public Education, and in case of breach of condition thereof, he shall bring suit thereon in the name of the district.

Eighth—They shall from time to time examine the accounts of the Treasurer, and make settlement with him, and present at each regular meeting of the election a full statement of the receipts and expenditures of the district, and all matters delegated to them to perform, and all such other matters as may be deemed important.

Ninth—To visit the schools in their district, and aid the teachers in establishing and enforcing rules for the government of the schools, and see that they keep a correct list of the pupils, embracing the period of time during which they attend school, the branches taught, and such other matters as may be required by the Division Superintendent. A majority of the board shall be a quorum to transact business, but a less number may adjourn from time to time.

Each district board shall adopt a uniform series of books for all the schools in their district, and such series shall not be changed oftener than once in two years.

The following shall be section twenty-three:

DUTIES OF DISTRICT OFFICERS.

Be it further enacted, etc., That the President shall preside in all meetings of the board, and of the district; shall draw all drafts on the State Treasurer and upon the Treasurer of the Parish Board for money apportioned to his district, sign all orders on the district treasury, specifying in the order the fund on which they are drawn, and the use for which the money is assigned; and he shall sign all contracts. The president shall appear in behalf of his district, in all suits brought by or against the same, but when he is individually a party, this duty shall be performed by the secretary; and in all cases where suits may be instituted by or against any of the school officers, to enforce any of the provisions herein contained, counsel may be employed by the Board of Directors. The secretary shall record all the proceedings of the board and district meetings in separate books kept for that purpose; shall preserve copies of all reports made to the State and division superintendents; shall file all papers transmitted to them pertaining to the business of the district, and shall countersign all drafts, warrants and orders drawn by the president. He shall keep an accurate account of all the expenses incurred by the district, and shall present the same to the Board of Directors, to be audited and paid as herein provided. He shall give ten days previous notice of all regular and special meetings of the district by posting a written notice in five different conspicuous places therein, one of which shall be at or near the place of meeting of the district board. On or before the twentieth day of September in each year, the Secretary of each school district shall file with the Division Superintendent a report of the affairs of the district, which shall contain the following items, viz:

First—The number of persons, male and female each, in his district, between the ages of six and twenty-one years.

Second—The number of schools and the branches taught.

Third—The number of pupils and the average attendance of the same in the school.

Fourth—The number of teachers employed, and the average compensation paid per week, distinguishing males from females.

Fifth—The length of school in days, and average cost of tuition per week for each scholar.

Sixth—The aggregate amount paid teachers during the year, and the balance of teachers' fund the treasury.

Seventh—The text books used, and the number of volumes in the district library, and the value of apparatus belonging to the district.

Eighth—The number of school houses and their estimated value.

Ninth—The amount raised within the year by tax for the erection of school houses, the amount for teachers' fund and for other purposes of this act, stating separately the amount for each.

Tenth—The amount of public fund received from the parish treasury, and, if any, from other sources, stating what, and how much from each, and such other information as he may deem useful. Should the Secretary fail to file his report, as above directed, he shall forfeit the sum of twenty-five dollars, and shall make good all losses resulting from such failure; and suit shall be brought, in both cases, by the district, on his official bond. The Treasurer shall hold all moneys belonging to the district, and pay out the same on the order of the President countersigned by the Secretary, and shall keep a correct account of all expenses and receipts in a book provided for the purpose. The money collected by district tax for school house purposes, and all contingent expenses, shall be called the "School House Fund," and that received for the support of teachers shall be called the "Teachers' Fund," and the Treasurer shall keep with such fund a separate account, and shall pay no order which does not specify the fund on which it is drawn and the specific use to which it is applied. If he have not sufficient funds in his hands to pay in full the warrants drawn on the funds specified, he shall make partial payment thereon, paying as near as may be an equal proportion of each warrant. He shall receive all money apportioned to the district by the Superintendent of Public Education. He shall render a statement of the finances of the district from time to time, as may be required by law, and his book shall always be open for inspection.

The following shall be section twenty four:

Be it further enacted, etc., That it shall be the duty of the District Board of School Directors, between the first day of August and the fifteenth day of September of each year, to make and keep on record a list of the names of all heads of families in the district, and the number of children in each family between the ages of six and twenty-one years, distinguishing males from females, and to report the same to the Division Superintendent on or before the said fifteenth day of September in each year. They shall further report the number of schools in their district, and the branches taught, the number of pupils and average attendance of the same in each school, the number of teachers and the compensation of each, the text books used, the number of school houses and the estimated value of each.

They shall have power to dismiss any pupils from the schools in their district for gross immorality, or for persistent violation of the regulations of the school, and to readmit them if they deem it proper so to do; and shall visit the schools in their sub-district at least twice during each term of said school.

All contracts with teachers shall be in writing, specifying the length of time the school is to be taught, in weeks, the compensation per week, or per month of four weeks, and such other matters as may be agreed upon, and shall be signed by the director and teacher, and be approved by and filed with the President before any teacher shall be entitled to a warrant for services.

The following shall be section twenty-five:

Be it further enacted, etc., That in each district there shall be taught one or more schools for the instruction of youths between the ages of six and twenty-one years, for at least twelve weeks, of five school days each, in each year, unless the State Board of Education shall be satisfied that there is good and sufficient cause for failure so to do.

Scholars residing in one district may attend school in another, in the same or adjoining parish, with the concurrence of the directors of both districts, and, in such case, their proportion of the school money of the district to which they belong shall be paid to the treasurer of the district in which they attend school; and scholars may attend in the ward in which they reside, with the consent of the District Board.

That the following shall be section twenty-six:

Be it further enacted, etc., That no Parish or District School Director shall receive any compensation for his services as director, or as an officer of the board.

That the following shall be section twenty-seven:

Be it further enacted, etc., That each ward district shall hold regular meetings annually, on the first Saturday in May, at which all the qualified electors of the district may attend; provided that the first regular meeting of the qualified electors shall be held at such time as the State Board of Education may designate. Said meetings shall be presided over by the President of the District Board of School Directors, and the Secretary of said board shall be the Secretary of the meeting.

The electors of a district, when legally assembled at a district school meeting, shall have power to levy such tax, not exceeding ten mills on the dollar in any one year, on the taxable property of the district, as the meeting shall deem sufficient to purchase or lease a suitable site for a schoolhouse, or schoolhouses, and to build, rent, or purchase a schoolhouse, or schoolhouses, and to keep in repair and furnish the same with the necessary fuel and appendages, and for compensation of teachers, and for procuring district libraries and apparatus for the schools, books and stationery for the board and district meetings, and defray all other contingent expenses of the district; provided, that no tax shall be levied for building schoolhouses, excepting at the regular meeting in May.

Whenever any tax has been voted at the regular meeting of the electors of a district, it shall be considered as by said vote levied upon the assessed value of all real and personal property in the district. The secretary of the meeting shall, within ten days thereafter, certify the same to the District Board of School Directors, who shall certify the number of mills of the tax thus levied to the collector of State taxes for the parish.

It shall thereupon be the duty of said collector to enter the same upon a separate assessment roll, which roll he shall, within ten days after he has been certified of the levy of the tax, submit to the District Board of school directors, who shall examine, and, if correct, approve the same. The tax thus levied shall be collected in the same manner, and by the same officer, as State taxes, and shall be paid over quarterly, at such time as the District Board of School Directors may direct, to the Treasurer of the district.

The following shall be section twenty-eight:

Be it further enacted, etc., That any person who shall be duly appointed as a Parish or District School Director and shall refuse, neglect or fail to qualify according to law and enter upon the performance of the duties of the office within ten days after official notification of his appointment, shall forfeit a sum not less than one hundred dollars, to be recovered by action before any court of competent jurisdiction. It shall be the duty of the District Attorney to prosecute all such causes; and for each successful prosecution he shall receive as a fee twenty five per cent of the amount thus recovered. The State Board of Education shall report to each meeting of the General Assembly the names of all persons so failing to serve, and the action had in each case by the District Attorney; Provided, That no person disqualified by reason of ineligibility, or who shall be disabled by sickness from serving, shall be subject to the penalties of this section. All funds thus collected shall go to the school fund of the district or parish.

The following shall be section twenty-nine:

Be it further enacted, etc., That the State Board of Education shall have power to remove any Parish or District School Director for negligence, incompetency, or violation of law after a due hearing and fair trial.

The following shall be section thirty:

Be it further enacted, etc., That the Superintendent of Public Education shall cause notice of the annual district meetings of the electors to be published in each parish, and as far as possible in each ward district, at least thirty days before such meetings.

The following shall be section thirty-one.

Be it further enacted, etc., That the Treasurer of the Board of Parish School Directors shall, immediately upon his appointment and qualification, receive from the Parish Treasurer all school funds that may be in the hands of the Parish Treasurer, and all records and accounts relating to any school funds. Any Parish Treasurer who shall fail on demand to turn over such funds and records to the Treasurer of the Parish Board of School Directors, shall forfeit the sum of three hundred dollars, to be recovered by action before any court of competent jurisdiction, and shall, in addition, be liable upon his official bond with his sureties for any loss to the school funds or damage to the public interest that may be suffered thereby. From and after the passage of this act the Auditor of Public Accounts shall issue no warrants upon any school fund to any Parish Treasurer. All claims upon such funds now held by Parish Treasurers shall be examined by the State Board of Education, and referred by them to the next General Assembly.

The following shall be section 32:

Be it further enacted, etc., That all vacancies in any Board of Parish School Directors shall be filled by the State Board of Education; all vacancies in any District Board of School Directors shall be filled by the Parish Board of School Directors of the parish.

That sections twenty-four, twenty-five and twenty-six of the House bill be stricken out.

That sections twenty-seven, twenty-eight, twenty-nine and thirty of the House bill be stricken out.

That the following shall be section thirty-three:

QUALIFICATIONS AND DUTIES OF TEACHERS.

Be it further enacted, etc., That no person shall be employed to teach a common school unless he shall have a certificate of qualification signed by the Division Superintendent of the division in which the school is situated, or by the Superintendent of Public Education; and no certificate shall be valid more than one year from the date thereof; and any teacher who commences teaching without such certificate shall forfeit all claim to compensation for the time during which he teaches without such certificate.

Second—The teacher shall keep a correct register of the school, which shall exhibit the sub-district, ward, parish and State in which the school is kept, the day of the week, the month and year; the name and age, and attendance of each scholar, and the branches taught; the register to be after the form supplied by the Board of Education.

Third—When scholars reside in different districts, a register shall be kept for each district.

Fourth—The teacher shall immediately after the close of his school, file in the office of the secretary of the board and transmit to the State Board of Education a certified copy of the register aforesaid.

That sections thirty one and thirty-two of the House bill shall be section thirty-four.

That section thirty-three of the House bill be amended by inserting in the eighth line after the word "several," the words "ward, district, city or town;" and in the twelfth line, by striking out the word "parishes" and inserting the words "ward districts;" and in the seventeenth line, by inserting after the word "each" the word "such;" and that section thirty-three of the House bill so amended shall be section thirty-five.

That section thirty-four of the House bill shall be section thirty-six.

That sections thirty-five and thirty-six of the House bill be stricken out.

GENERAL PROVISIONS.

That section twenty-three of House bill shall be section thirty-seven.

That the following shall be—

SEC. 38. Be it further enacted, etc., That in the discharge of their duties in their several divisions, the Division Superintendents shall comply with such instructions of the Superintendent of Public Education as are not inconsistent with the provisions of this law, nor with the rules and regulations of the State Board of Education; and in case of failure to perform their duties as herein specified and provided, or for other improper conduct, the Superintendent of Public Education shall report the facts in the case to the Governor, who may remove such Division Superintendent and appoint a successor as herein provided.

The following shall be section thirty-nine:

Be it further enacted, etc. That the offices of all School Directors, parish, city, or district and of all Division Superintendents, and of the members of the State Board of Education appointed or elected under any previous law, are hereby declared vacant, and upon the appointment of the officers provided for by this act, each and all of said officers shall, upon the demand of the officers appointed under this act, turn over all books, records and furniture of their offices to the officers thus appointed.

The following shall be section forty:

Be it further enacted, etc., That the fees of Assessors for assessing any State school tax shall be one per cent. No fees shall be allowed any officer for assessing parish or district school taxes. The fees of of Collectors for collecting all school taxes shall be five per cent.

The following shall be section forty-one:

Be it further enacted, etc., That the Treasurer of the Parish Board of School Directors in each parish is hereby required and authorized to examine the accounts of former parish Treasurers with the school fund, and report all delinquencies and defaults in settlement and payment by any Parish Treasurer, to the State Board of Education, who shall report the same to the General Assembly. Upon the discovery of any such default or delinquency, the said Treasurer of the Parish Board is authorized to prosecute suit in the manner and for the use of said board against the delinquent