The affidavit to be written or printed, sworn to and subscribed in duplicate before the registrar, assessor or clerk, on the reverse of the duplicate, for delivery to the voter and on the stub thereof, to be retained by the officer as evidence of such oath, the duplicate certificate to be prepared in stub-book form. When a duplicate has been issued, the name of the voter shall be erased from the original registration book, and the entry transferred to the duplicate registration book, changing only the date and number so as to show the date and number of the duplicate. The letter D shall be written in red ink on the left side of the page opposite the name of the voter on the original registration book. And in making the list of registered voters for the use of the commissioners of election, the name so erased and marked shall not be placed on said lists, but the name, number and other matters required by law to be written on said lists shall be taken from the duplicate book, and the letter D shall be written in red ink opposite the name of the voter on said lists, so as to show that he is entitled to vote on a duplicate certificate. The duplicate certificate shall be *prima facie* evidence of the elector's right to vote.

SEC. 10. *Be it further enacted, etc.*, That it shall be the duty of the sexton of each cemetery of the parish of Orleans to deliver on or before the fifth day of each month, at the office of the Registrar of Voters, a list, under oath, of the names, ages and late residences of all males over twenty-one years of age, who have been interred in their respective cemeteries during the preceding month, and in the event of any such sexton failing or neglecting so to do, he shall be liable to a fine of twenty-five dollars, to be recovered before any court of competent jurisdiction, for the benefit of the Charity Hospital; and it shall be the duty of the Registrar of Voters to prosecute any sexton failing to comply with the provisions of this section.

SEC. 11. *Be it further enacted, etc.*, That it shall be the duty of the Registrar of Voters to erase from the list of registered voters the names of all persons reported by the sextons of the several cemeteries of the parish of Orleans as deceased, and the names of any persons who shall be proven by the written affidavit of two qualified voters of the parish to have been fraudulently registered in said parish.

SEC. 12. *Be it further enacted, etc.*, That in the parish of Orleans the Registrar of Voters or Clerk of Registration shall issue to each person registered, a certificate, in which he shall mention the name and age, ward and precinct, or polling place, the residence of the person so registered, and whether naturalized or not; the same being a copy of the statement kept in the book of registration, and such certificate shall be *prima facie* evidence of the elector's right to vote at any election in the precinct, or election district in which he resides.

SEC. 13. *Be it further enacted, etc*, That every person of foreign birth claiming a right to be registered shall, in addition to the proof of residence, prove that he has been naturalized conformably to the laws of the United States; and as evidence thereof, he shall produce a certificate of naturalization, under the seal of the court in which said naturalization took place, duly attested by the clerk of said court, and shall prove, by the oath of two qualified electors of the election precinct, that he is the person named in the said certificate, and the person to whom it was issued. If he has lost said certificate, having been naturalized by a court of this State, he shall make oath to the fact, and produce a certified copy of his certificate of naturalization, which shall be furnished him by the clerk of said court free of cost, and any clerk refusing to issue such certified copy shall be deemed guilty of a misdemeanor; and, on conviction shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars.

SEC. 14. *Be it further enacted, etc.*, That any applicant for registration who was born without the limits of the United States, and afterwards became a citizen thereof, otherwise than by naturalization in the court, shall be required to make an affidavit before the registrar or assessor without cost, setting forth the circumstances by which he became a citizen; as the naturalization of his father when he was a minor, or by his residence in any State or Territory when the same was ceded to the United States, or in any other manner provided by the laws of the United States.

SEC. 15. *Be it further enacted, etc.*, That in each parish of the State, except the parish of Orleans, the tax assessor shall for sixty days before each general election, be entitled to one clerk, who shall be selected from the opposing political party, to be appointed by the Governor. The said clerk shall be entitled to a compensation of three dollars per day for the time actually employed, not to exceed sixty days in any one year; and only for years in which a general election is held. This compensation shall be payable out of any funds in the State treasury not otherwise appropriated, on presentation of his account, sworn to by himself and approved by the assessor. And the assessor for each parish, except Orleans, shall, in addition to his compensation as tax assessor, be entitled to a salary of two hundred dollars per annum, payable on his own warrant, approved by the Governor, out of any funds in the State treasury not otherwise appropriated.

SEC. 16. *Be it further enacted, etc.*, That in case of the sickness or inability of the assessor to act, he may appoint a deputy to perform his duties, and for the incompetency, or willful neglect, or refusal to act of any assessor, he shall be removed by the Governor, who shall immediately appoint his successor.

SEC. 17. *Be it further enacted, etc.*, That if the registrar or assessor should refuse to register any person entitled to registration, under the provisions of this act, he may be compelled to do so by writ of mandamus; *provided*, if any person knowing that he is not legally entitled to registration should resort to the writ of mandamus merely to harass the registrar or assessor, or to obstruct or delay the registration, such person shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than fifty dollars, at the discretion of the court. If the registrar or assessor be cast in the suit, the cost shall be paid by him, and not by the State.

SEC. 18. *Be it further enacted, etc.*, That the assessor for each parish of the State, except Orleans, shall, as soon as he can obtain the books and blanks provided for in this act from the clerk of the court, proceed to make a new and complete registration of all the voters in his parish. He shall, in addition to the two days he is required by law to attend at each polling place for the purpose of assessing taxes, remain one day for the purpose of registering voters; and in the notice which he is required by law to give of his attendance at such polling place he shall mention the fact that he will also, and at the same time, open the office of registration at said polling place. He shall, for sixty days before each general election, keep his office open daily, Sundays and legal holidays excepted, from seven o'clock in the forenoon until one o'clock in the afternoon, and from two o'clock in the afternoon until six o'clock in the afternoon, for the registration of all legal voters. He shall keep his office at the court-house during the first week of said sixty days, and shall then establish his office for at least one day at or near each polling place in his parish, and at such other places as may be necessary, in order to afford convenient opportunity for all qualified voters to be registered. During the last two weeks of said sixty days he shall keep his office at the court-house. He shall for seventy days before each general election cause to be published at the expense of the parish, in the official journal, if there be one in the parish, a list of all the places where the offices of registration will be opened, and the time during which the office will be open at each place during the said sixty days. He shall, in addition to the notice in the newspaper, cause a similar notice, written or printed, to be posted for at least sixty days before the election, at each place where the office of registration is to be opened. In the parish of Orleans, the City Council shall give notice of the location of the office of the registrar by continuous advertisement in the official journal, and for sixty days before each general election, and shall give notice of the location of each of the offices provided for the clerks of registration, by continuous publication in the official journal, and in one daily newspaper published in the French language, and in one daily paper published in the German language. All accounts for the printing provided for in this section shall be paid by the city of New Orleans, or by the parish in which the advertising is done, as the case may be, and at not more than the rate provided by law. The said accounts, before being paid, must be approved by the Mayor of the city of New Orleans, or in other parishes by the assessor.

SEC. 19. *Be it further enacted, etc.*, That every person before he is registered as a voter shall take and subscribe the following oath, to be administered by the assessor, registrar or clerk of registration: "I ——, do solemnly swear, (or affirm, as the case may be,) that by the time for holding the next election in this parish, I will be at least twenty-one years of age; I was born (or naturalized, as the case may be), in the United States, and am subject to the jurisdiction thereof, and by the time for the holding of the next election, I will have been a resident of this State for at least one year; and of this parish for at least ten days, and I am not disfranchised for any of the causes mentioned in article ninety-nine of the constitution of this State." The taking of his affidavit shall be *prima facie* evidence of the right of the voter to be registered, but the registrar, clerk of registration, or assessor, may examine witnesses and receive other evidence to prove that the voter is not entitled to be registered; *provided*, that the provisions of this section shall not be construed so as to deprive the elector of his right by writ of mandamus to compel the assessor, registrar, or clerk of registration to register him as a legal voter. Any person who shall swear falsely to the foregoing affidavit shall, on conviction, be deemed guilty of perjury, and shall be punished as prescribed by law for said crime.

SEC. 20. *Be it further enacted, etc.*, That it shall be the duty of the assessor, registrar or clerk of registration in each parish, and each ward of the city of New Orleans, to record in the book furnished him pursuant to the provisions of section three of this act, the following particulars and in the following order: Date of registry, number of certificate, name, age, nativity, residence, color, occupation, ward or election district or precinct, as the case may be, city or town, length of residence in parish and State, whether native born or naturalized; if naturalized, when, where and how, with the signature or mark of the voter, over which shall be written or printed the affidavit required by section nineteen of this act; and in the event of the voter making his mark, the assessor, registrar or clerk of registration shall attest it. In all the parishes, except Orleans, the entry provided for above shall be made in the same manner and in the same order, except the number of the certificate of registration, and no certificate of registration shall be issued or required as a part of the evidence of the elector's right to vote in any parish, except Orleans.

SEC. 21. *Be it further enacted, etc.*, That the assessor shall not open his office on any boat or water craft, and during sixty days before the general election shall not go to unusual places under the pretences of affording opportunity for voters to register, but shall remain at each appointed place during the full period named in his public notice, and shall not attend places to register voters of which he has not given notice as required by this act, and any assessor violating this provision, or wilfully refusing to open his office at or near each polling place in his parish, shall, on conviction, be deemed guilty of a misdemeanor; and shall be punished by fine and imprisonment at the discretion of the court.

SEC. 22. *Be it further enacted, etc.*, That the assessor, registrar or clerk of registration of each parish shall, within ten days next preceding a general election, strike from the registration the names of all voters who may have died, left the parish, or from any cause become ineligible as electors; *provided*, that the name of no voter shall be stricken from the lists of registration in any parish who has left said parish within ten days of the time for holding the election, so that the elector shall not lose his right to vote in one parish before he has acquired it in another. The assessor, registrar or clerk of registration shall not place upon the poll lists which he is required by law to furnish for the use of the commissioner of election, any name which has been stricken from the registration books, as above provided for; and any assessor, registrar or clerk of registration wilfully violating this provision, or who shall knowingly and illegally erase the name of any voter who is legally entitled to be registered, and to vote in his parish, shall, on conviction, be deemed guilty of a misdemeanor, and be punished by fine and imprisonment, at the discretion of the court.

SEC. 23. *Be it further enacted, etc.*, That it shall be the duty of the assessor, registrar, or clerk of registration, in each parish to have completed, and on Saturday preceding the election to deliver to the sheriff or proper returning officer of each parish a list of all the registered voters in each precinct or parochial or municipal subdivision of a city or parish, made pursuant to the election laws of this State. There shall be one list for each of said subdivisions or precinct, and only the names of voters who are entitled, by virtue of their actual residence in said precinct, to vote at the polling place therein, shall be placed on said list. The lists shall be in alphabetical order, and in entering each name the following particulars shall be observed: number on registration book, full name, age, occupation, color, nativity, and length of residence in the parish, ward and precinct, and if in an incorporated city or town, the name of such place, with the ward, district or precinct of such residence. Any assessor, registrar or clerk of registration who shall wilfully refuse or neglect to furnish said list for each polling place in his parish or ward, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine and imprisonment, at the discretion of the court.

SEC. 24. *Be it further enacted, etc.*, That the assessor, registrar or clerk of registration shall keep an index book, in which they shall record the name, with the number of each elector registered in their respective parishes, and the page of the book of registration on which the same may be found. They shall also keep a book in which they shall record the names of all persons refused registration by them, and the reasons for such refusal. No person shall be entitled to registration who has been convicted of treason, perjury, forgery, bribery or other crime punishable by imprisonment in the penitentiary, or who is under interdiction.

SEC. 25. *Be it further enacted, etc.*, That any assessor, registrar or clerk of registration, who shall wilfully and knowingly refuse to register any person legally entitled to registration under the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine not to exceed five hundred dollars and by imprisonment in the Parish Prison for a term not exceeding two years.

SEC. 26. *Be it further enacted, etc.*, That the books for poll lists and the stationery necessary to carry on the registration, and the necessary expenses for office rent incurred by the assessors, registrars and clerks on account of registration, shall be paid by the parish in which the registration is carried on; *provided*, that before the same can be collected the assessor or registrar shall furnish the president of the police jury, or in New Orleans the Mayor of the city, a sworn statement of the expense actually and necessarily incurred.

SEC. 27. *Be it further enacted etc.*, That any person who shall purchase, or otherwise obtain from any other person, a certificate of registration in order to prevent said person from voting, or to use it illegally, or to have it used illegally, shall de deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not more than five hundred dollars and by imprisonment in the Parish Prison for one year.

SEC. 28. *Be it further enacted, etc.*, That if any riot, tumult, acts of violence or intimidation occur at or near any polling place on any day of election, or at or near any office of registration, it shall be the duty of the commissioners of election, or the assessor, or registrar, or clerk of registration, as the case may be, to make out a full statement of the facts, and annex the names of witnesses, and file the same with the clerk of the district court of the parish, or in the parish of Orleans with the Clerk of the First District Court, for the use of the District Attorney.

SEC. 29. *Be it further enacted, etc.*, That it shall be the duty of each assessor, registrar, sheriff, or commissioner of election, on the day of election, to close all drinking saloons, dram shops, groggeries, or places where liquor is sold by the glass, bottle, or gallon, situated within a radius of two miles of any polling place, and shall arrest and imprison, until after the closing of the polls, any person who shall refuse to close such place where liquor is sold, when by either of them ordered to do so, and any person who shall sell secretly or otherwise, or give to any person on the day of election any intoxicating liquors, by the glass, bottle, or gallon, within the radius of two miles of any polling place, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than fifty dollars for each separate offence.

SEC. 30. *Be it further enacted, etc*, That the books of registration shall at all times be opened to the examination of any citizen, either for the purpose of examining the entry made in the registration book of his own name or the name of any voter; *provided*, this examination shall always be made in the presence of the assessor, registrar or clerk, and shall not interfere with or hinder the registration of any voter. Any voter moving from one election precinct in a parish to another precinct, ward or subdivision of said parish, shall have the right, on making affidavit of such removal before the assessor, registrar or clerk, to have the entry on the book of registration and on the poll lists changed so as to correspond with his new residence, and no assessor, registrar or clerk of registration shall be allowed to charge any voter a fee for making such change, or for any other matter or things required by this act to be done, and any assessor, registrar or clerk who shall violate this provision shall, on conviction, be punished by fine and imprisonment at the discretion of the court.

SEC. 31. *Be it further enacted, etc.*, That the respective assessors, the registrar and clerks of registration, shall each have the power to administer oaths to any person claiming the right to be registered, or in regard to any other matter or thing required to be done or inquired into by any of said officers under this act; and any wilfull false swearing by any person in relation to any matter or thing concerning which he shall be interrogated by any of said officers shall be punished as perjury.

SEC. 32. *Be it further enacted, etc.*, That if any person shall fraudulently alter, add to, deface, or destroy any list of voters made out as directed by this act, or any book of registration, or tear down any poster or notice, or remove the same from the place where it has been fixed or deposited, for any improper purpose, the person so offending shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding five hundred nor less than one hundred dollars, and by imprisonment for not more than twelve nor less than three months, at the discretion of the court.

SEC. 33. *Be it further enacted, etc.*, That if any person upon any false representation, or by the production of any forged, false, or spurious naturalization certificate, not duly issued according to the laws of the United States, shall cause his name to be placed, or shall attempt to have his name placed, upon any book of registration for election purposes, or upon any list of qualified electors, authorized or required to be made by any law of this State, or shall vote, or attempt to vote, at any election, every such person on conviction thereof shall be adjudged guilty of a misdemeanor, and shall be sentenced to imprisonment in the Parish Prison for a term of not less than twelve months; and every person who shall aid or abet any other person in any such false representation or attempt shall, on conviction thereof, be adjudged guilty of a misdemeanor, and suffer a like penalty.

SEC. 34. *Be it further enacted, etc.*, That this act shall take effect from and after its passage, and all laws in conflict with its provisions be and the same are hereby repealed.

(Signed) LOUIS BUSH,
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved April 30, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL A. STRONG,
Secretary of State.

No. 121.] AN ACT

To amend section No. 14 of an act entitled "An act to amend an act to create a special levee district, within certain limits prescribed in this act, approved April first, one thousand eight hundred and seventy-six, and to change the name of the corporation created by that act; to more fully define, extend and limit the powers and purposes of said corporation; to extend and more fully describe the boundaries of said levee district; to empower said corporation to levy contributions in aid of said levee and under certain contingencies to require, under penalty, the performance of labor by certain persons on said levees; to enforce the collection of such contributions; to confirm the provisions of said act, and for other purposes," approved April thirty, one thousand eight hundred and seventy-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That section 14 of an act entitled "An act to amend an act entitled an act to create a special levee district within certain limits prescribed in this act, approved April first, one thousand eight hundred and seventy-six, and to change the name of the corporation created by that act; to more fully define, extend and limit the powers and purposes of said corporation; to extend and more fully describe the boundaries of said levee district; to empower said corporation to levy contributions in aid of said levee and under certain contingencies; to require, under penalty, the performance of labor by certain persons on said levee; to enforce the collection of such contributions; to confirm the provisions of said act, and for other purposes," be amended and re-enacted so as to read as follows:

SEC. 14. *Be it further enacted, etc.*, That the Board of Levee Commissioners shall have power to locate all new levees; to establish their dimensions; to make contracts with contractors for the building of the same; to make repairs on levees; to divide the district into sections, and appoint inspectors over the same; to prescribe their duties, and to enact penalties for the neglect thereof. They shall be authorized to receive, in payment for contributions due them, any indebtedness of said board arising from the making or repairing of levees, and to make such rules and regulations as will facilitate the collection of said contributions; *provided*, that in case said levee company should cause the overflow of any lands, the police jury of either parish, with the joint consent of that of the other, shall have the right to open the levee at such place or places where it has caused the land to be overflowed; *provided further*, that any and all parties injured by overflow caused by the building of said levee, shall have legal recourse for damages against the levee board.

SEC. 15. *Be it further enacted, etc.*, That this act shall take effect from and after its passage.

(Signed) LOUIS BUSH,
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved April 30, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL A. STRONG,
Secretary of State.

No. 122.] AN ACT

To amend and re-enact article one hundred and thirty-nine of the Revised Civil Code of Louisiana, and to repeal act number seventy-six, approved March nine, eighteen hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That article one hundred and thirty-nine of the Revised Civil Code of Louisiana be and is hereby amended and re-enacted so as to read as follows: Married persons may also reciprocally claim a divorce for the several causes enumerated in article one hundred and thirty-eight; but, except in cases where the husband or wife may have been sentenced to an infamous punishment, or guilty of adultery, no divorce shall be granted unless a judgment of separation from bed and board shall have been rendered between the parties, and one year shall have expired from the date of the judgment of separation from bed and board, and no reconciliation shall have taken place. In the cases excepted above, a judgment of divorce may be granted in the same decree which pronounces the separation from bed and board.

SEC. 2. *Be it further enacted, etc.*, That act number seventy-six, approved March nine, eighteen hundred and seventy, and all laws or parts of laws conflicting with the provisions of this act, be and the same are hereby repealed, and that this act do take effect from and after its passage.

(Signed) LOUIS BUSH,
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved April 30, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL A. STRONG,
Secretary of State.

No. 123.] AN ACT

To amend and re-enact section twenty-nine of an act entitled "An act to regulate public education in the State of Louisiana; to provide a revenue for the same; to impose certain penalties; to repeal sections of the Revised Statues, from section one thousand two hundred and seventeen, inclusive, to section one thousand two hundred and ninety-seven, inclusive;" and to repeal act number six, of the acts of 1870, entitled "An act to regulate public education in the State of Louisiana and city of New Orleans, and to raise a revenue for that purpose," approved March 26, 1877.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That section twenty-nine of an act entitled "An act to regulate public education in the State of Louisiana; to provide a revenue for the same; to impose certain penalties; to repeal sections of the Revised Statutes, from section twelve hundred and seventeen, inclusive, to section twelve hundred and ninety-seven, inclusive;" and to repeal act number six, of the acts of eighteen hundred and seventy, entitled "An act to regulate public education in the State of Louisiana and city of New Orleans, and to raise a revenue for this purpose," approved March 26, 1877, be and the same is hereby amended and re-enacted so as to read as follows: That the Board of Administrators of the city of New Orleans be and are hereby authorized and directed, in making up their budget of city expenses, to include therein the amount needed to sustain the city schools during the current year; *provided*, the amount shall not exceed the sum of two hundred and seventy-five thousand dollars.

SEC. 2. *Be it further enacted, etc.*, That this act take effect from and after its passage.

(Signed) LOUIS BUSH,
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved April 30, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL A. STRONG,
Secretary of State.

No. 124.] AN ACT

To vest in the State Board of Education control of the site purchased for the State, in the city of New Orleans, for the location of a State Normal School, and to authorize the renting, or the sale, of said site, and the use of the revenues, or proceeds, to aid in maintaining the Normal School, or Schools, to be established in the city of New Orleans.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That the State Board of Education be, and it is hereby, authorized and directed to take possession and to assume the control of the site, purchased for the State, in September and October, eighteen hundred and sixty, for the location of the State Normal School, said site consisting of four lots, in square two hundred and fifty-three, bounded by Baronne, Clio, Erato and Dryades streets, in the First Municipal District of New Orleans, and numbered fifteen, sixteen, seventeen and eighteen, as more particularly described in the deed of sale executed before D. Ricardo, notary public, and recorded in the office of the Register of Conveyances of the parish of Orleans.

SEC. 2. *Be it further enacted, etc.*, That the State Board of Education be, and it is hereby, authorized to appropriate said lots, or the revenues or proceeds thereof, towards the maintenance of such Normal School, or schools, as may be established by the City Board of School Directors in furtherance of the act to regulate public education, etc., passed by the General Assembly, and that, to this end, the State board may, in its discretion, rent out said lots or any portion thereof, or sell the same or any portion thereof to the city of New Orleans or any other purchaser, and convey a valid title therefor to the vendee in behalf of the State of Louisiana; *provided*, that the said lots, or any portion thereof, shall not be sold for less than was paid for the same; *and, provided further*, that the revenues or proceeds of said lots shall be deposited with the Administor of Finance, as Treasurer of all school funds for the city of New Orleans and shall be held by him, as a special fund, for the support of normal schools and be paid out by him, only on warrants, or checks, drawn by the President and secretary of the City Board of School Directors, in favor of the executive committee, or of the teachers in charge of the normal school, or schools, under the control of said board; *and provided further*, that said city board shall make provisions for the gratuitous professional tuition and training in such normal school, or schools, of at least one properly qualified student from each judicial district in this State.

SEC. 3. *Be it further enacted, etc.*, That this act shall take effect from and after its passage.

(Signed) LOUIS BUSH,
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved April 30, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL A. STRONG,
Secretary of State.

No. 125.] AN ACT

To amend an act entitled "An act to authorize and empower the Governor to remove, for cause, or incompetency, any officer or appointee whose appointment is vested in him under existing laws, approved April 4, 1877.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That section one of the above act be amended and re-enacted so as to read as follows: "That the Governor be and he is hereby authorized and empowered to remove for cause, or incompetency, any officer or appointee whose appointment is vested in him."

SEC. 2. *Be it further enacted, etc.*, That this act shall take effect from and after its passage.

(Signed) LOUIS BUSH.
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved April 30, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL A. STRONG,
Secretary of State.

No. 126.] AN ACT

For the relief of J. P. Viguerie, Tax Collector for the parish of Terrebonne.

Whereas, Jean Pierre Viguerie, Tax Collector in and for the parish of Terrebonne, during the regular session of the General Assembly of the present year, at a time when there was no State Treasurer, in the discharge of the duties of the office, did pay to William C. Black, Esq., acting as the receiving and disbursing officer of the legal State Government, the sum of twelve hundred and seventy-five dollars, on account of taxes collected by him from the general fund;

SECTION 1. *Therefore be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That the State Treasurer be, and he is hereby required to receive from said J. P. Viguerie, in his settlement, in part payment of the general fund tax, the voucher, or vouchers, of said William C. Black to an amount not exceeding the sum of twelve hundred and seventy-five dollars.

SEC. 2. *Be it further enacted, etc.*, That this act shall take effect from and after its passage.

(Signed) LOUIS BUSH
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved April 30, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL A. STRONG,
Secretary of State.

No. 127.] AN ACT

To authorize the police jury of the parish of Morehouse to levy a special tax to build a parish jail.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That the police jury of the parish of Morehouse be and they are hereby authorized and empowered to levy a special tax, not to exceed in amount the sum of five thousand dollars, for the purpose of building a parish jail.

SEC. 2. *Be it further enacted, etc.*, That this act shall take effect from and after its passage.

(Signed) LOUIS BUSH,
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved April 30, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 128.] AN ACT

To amend and re-enact section 4 of act No. 97 of session of one thousand eight hundred and seventy-six, entitled "An act to charter the North Louisiana Railroad Company," etc.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That section 4 of act No. 97, of the session of one thousand eight hundred and seventy-six, be amended and re-enacted so as to read as follows, to wit: "That said company shall have the right of way through all the lands owned by the State of Louisiana to the width of one hundred and fifty feet on each side of their road bed, and shall have a right to cut and use timber and such materials on the lands of the State as said company may see fit, for six miles on each side of said road; *provided* that said railroad shall be commenced before the first day of January, one thousand eight hundred and seventy-eight, and shall be finished in five years from the commencement of the work.

SEC. 2. *Be it further enacted, etc.*, That this act shall take effect and be in full force from and after its passage.

(Signed) LOUIS BUSH,
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved April 30, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL A. STRONG,
Secretary of State.

No. 129.] AN ACT

Relative to contests for judicial and other offices, and providing a tribunal to try contested election cases when the District Judge and the parish judge are recused, or motion is made to recuse them.

Whereas, the State constitution provides "that 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," and no provision is made for the trial of cases where the judge is personally interested, and the judge to whom the case is referred is recused;

SECTION 1. *Therefore be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That in any case in which a person claims to have been elected to an office, or contests the right of any person to hold an office, and claims that the office should be declared vacant, and in every proceeding, whether under the intrusion act or any other act authorizing the contesting of an election, and in all suits under the law providing for contested elections, if the judge of the district court having jurisdiction in the parish in which the defendant resides is interested, and the parish judge recuses himself or is recused, on motion of the defendant, or of the plaintiff, either may at any time before the assignment of the case have the same transferred, and tried by the judge of the district court whose residence is nearest to the residence of the defendant.

SEC. 2. *Be it further enacted, etc.*, That, if the judge of the parish court be the interested person, and the judge of the district court is called upon, but he recuses himself or cannot try the case for any of the reasons now provided by law, then it will be transferred to the parish judge of one of the neighboring parishes, in the same judicial district wherein resides the defendant.

SEC. 3. *Be it further enacted, etc.*, That the plaintiff or the defendant may, at the time suit is instituted, or at any time after, apply to the judge of the said residence, for a rule issued to the judges (who cannot try the case because recused, on their own motion, or because parties to the case allege and establish that for legal reasons they should be recused) to show cause within three days from the date of the service of the said rule, why he should not try the case, and that in applying for the said rule, the said plaintiff shall swear that the defendant is interested, and that the judge called upon to try the same, or who may be called upon, is recused for any of the causes now provided, and that the judge of the District Court applied to resides nearer the residence of the defendant than any other judge of the District Court.

SEC. 4. *Be it further enacted, etc.*, That, upon the said application being made, it shall be the duty of the judge applied to to make the said rule absolute, if cause of recusation exists, and if his residence is nearest to the residence of the defendant, as above mentioned; and if suit has already been instituted, to direct that a copy of all papers and documents be sent to the clerk of the District Court of the parish in which the said judge resides.

SEC. 5. *Be it further enacted, etc.*, If citation has issued and service has been made, there will be no necessity for another citation to issue, and another service to be made, the service of the said rule shall be sufficient. If citation has not yet issued, the judge, at the time he directs that the suit be transferred, as above provided, shall order citation to issue, that the defendant shall be cited to answer, within ten days from the service of the citation, and no delays shall be granted on account of the transfer.

SEC. 6. *Be it further enacted, etc.*, That the trial of contested elections shall be proceeded with, at any regular term of the court, for the parish in which the said transferred case is to be tried. If no regular term of the court is to be held, within five weeks from the time of filing the petition of the contestant, a special term shall be holden on the second Monday after the day the said case has been ordered to be transferred, or at any time thereafter, not later than four weeks from the said time.

SEC. 7. *Be it further enacted, etc.*, That the said transferred cases shall be tried in accordance with the laws now applying to the trial of contested election cases.

SEC. 8. *Be it further enacted, etc.*, That if either party desires that the case be tried by a jury, motion for a jury shall be made within three days after service has been made.

SEC. 9. *Be it further enacted, etc.*, That the party cast in the suit may take an appeal from the judgment within ten judicial days from its rendition.

SEC. 10. *Be it further enacted, etc.*, That all laws, or parts of laws, in conflict with this act, shall be and they are hereby repealed, and that this act shall take effect from and immediately after its passage.

(Signed) LOUIS BUSH,
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved April 30, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL A. STRONG,
Secretary of State.

No. 130.] JOINT RESOLUTION

Providing for the payment of the mileage and per diem of persons returned as elected by the Returning Board, but not so elected and not entitled to seats, and authorizing the Governor to draw against the special fund appropriated by act number forty-seven of regular session of eighteen hundred and seventy-seven, vouchers for said mileage and per diem, as well as for other legislative expenses.

SECTION 1. *Be it resolved by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That the persons returned by the Returning Board as elected to the General Assembly, but who were not elected, and whose seats, in consequence of said non-election, are occupied by the duly elected members, be and the same are hereby declared entitled to their mileage and per diem for the regular session.

SEC. 2. *Be it further resolved, etc.*, That the chairman of the Committee on Auditing and Supervising the Expenses of the Senate, and the chairman of the Committee on Contingent Expenses of the House of Representatives be, and they are hereby authorized, upon the certificate of the Lieutenant Governor and Speaker of the House of Representatives, that said persons have presented their written disclaimer to their rights to seats, to issue vouchers to said persons, to be paid out of any funds appropriated for the regular or extra session.

SEC. 3. *Be it further resolved, etc.*, That the Governor be and he is hereby authorized to draw a voucher for any legislative expenses, the mileage and *per diem* of any of said persons, upon the statement of the chairman of said committee that they have no funds to pay the same out of the appropriation made per legislative expenses, the Auditor to issue a warrant, upon the said voucher, against the forty thousand dollars appropriated for the support of the government, to be used for the benefit of the militia, etc., under act number forty-seven of the regular session of eighteen hundred and seventy-seven.

SEC. 4. *Be it further resolved, etc.*, That all the warrants that may be issued under the said appropriation of forty thousand dollars as aforesaid, be and the same are hereby made receivable for all taxes and licenses due the general fund.

(Signed) LOUIS BUSH,
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved April 30, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL A. STRONG,
Secretary of State.

No. 131.] AN ACT

To create Recorders' Courts in the city of New Orleans, and to provide for the appointment and election of Recorders, to define their jurisdiction, qualification and powers, and to repeal an act entitled "An act establishing four municipal courts in the city of New Orleans and defining the jurisdiction and officers thereof, and repealing all laws establishing Recorders' Courts and providing for the transfer of the records from the Recorders' Courts to the said municipal courts, and for other purposes," approved May 17th, 1873; to abolish the Fifth Municipal Court for the Seventh District of New Orleans, and to provide for the transfer of the books and records of said court; and to fix the compensation to be paid the judge and constable of the Seventh Justice Court, by the city of New Orleans, in lieu of costs, fees and expenses in criminal cases, cognizable by said court, and to repeal all laws and parts [of laws] in conflict with this act.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That there shall be established in the city of New Orleans two Police Courts, to be known as the First and Second Recorders' Courts for the city of New Orleans. The First Recorder's Court shall have jurisdiction in the territory included in the First and Fourth Districts of New Orleans, and the Second Recorder's Court shall have jurisdiction over the territory included in the Second, Third and Fifth Districts of said city.

SEC. 2. *Be it further enacted, etc.*, That the Governor shall, within ten days after the promulgation of this act, by and with the advice of the Senate, appoint two persons, competent to be a Recorder of each of said courts, who shall hold their offices until their successors are elected and qualified in accordance with the provisions of the subsequent section of this act.

SEC. 3. *Be it further enacted, etc.*, That at each subsequent regular city election, the qualified voters of the two said recorders' courts districts of the city of New Orleans shall elect a recorder for each of said districts, who shall hold office for the term of two years, or until his successor is elected and qualified. The recorder thus to be elected shall be a person learned in the law, who shall have been at least two years a practitioner thereof in this State at the time of said election.

SEC. 4. *Be it further enacted, etc.*, That the said recorders shall each receive a salary of three thousand dollars a year, and that they shall each be allowed one clerk at a salary of eighteen hundred dollars a year, and four assistant clerks, one of whom shall be a stenographer, at a salary of twelve hundred dollars a year, and the stenographer shall receive, in addition to said twelve hundred dollars a year aforesaid, six hundred dollars additional pay, and it shall be his duty to take down verbatim reports of all testimony and examinations in all cases where the offense charged is cognizable in either the First District Court or Superior Criminal Court of the parish of Orleans, and to transcribe from his notes a full report of the same, which shall be duly certified by the recorder, who shall forward the same to the proper criminal court for the use of the Attorney General and District Attorney, said clerks to be appointed by the said recorders, and the salaries hereby ordered and fixed, shall be paid monthly by the city of New Orleans, and the Council of said city shall immediately after the promulgation of this act, provide suitable court rooms and accommodations for the use of said recorders' courts, as well as suitable rooms for the use of the recorders and officers thereof. All stationery, fuel, blanks, and other articles necessary for carrying on the business of said courts, shall be provided and paid for by the city of New Orleans, on the requisition of the recorder of either of said courts, within five days after said requisition shall have been delivered to the Mayor of said city, whose duty it is hereby made to bring the matter to the notice of the Council, which shall immediately act thereon.

SEC. 5. *Be it further enacted, etc.*, That the said recorders' courts hereby created, and the recorders thereof, shall have respectively the same jurisdiction as is now vested by law in the municipal police courts of the city of New Orleans, and in the recorders' courts formerly by the city charter, and the Mayor shall, on the selection and recommendation of the said recorders, respectively, appoint four persons on the police force, who shall be detailed to serve in each of said courts, and be subject to the control and order of the recorders thereof, and not removable therefrom without the consent of said recorders, and shall provide for all other necessary police force at said courts, and for the care and safe custody of all prisoners appearing therein.

SEC. 6. *Be it further enacted, etc.*, That all fines, penalties, fees and forfeitures, imposed, or accruing within said recorders' courts, shall be paid unto the recorders thereof, who shall pay the same over daily to the Administrator of Finance of the city of New Orleans, and the funds thus collected and paid over shall go into the general fund of said city, and be appropriated and disposed of in the manner provided by the charter thereof, and the non-payment of said fines, penalties, etc., as herein provided, shall be good and sufficient cause for the removal of said recorders by the City Council; the said Administrator of Finance shall furnish to each recorder a printed receipt book, with marginal stubs, and the recorder shall give a receipt from said book for every fine or penalty collected by him, and shall state on the stub, or margin, the amount of said fine or penalty, when and from whom collected, and for what offense, and said receipt book shall always be kept open for public inspection.

SEC. 7. *Be it further enacted, etc.*, That the clerks of the courts hereby created shall be the recording officers thereof, and perform the like duties now imposed by law upon the clerks of the municipal police courts of the city of New Orleans, and shall otherwise comply with the requirements of law and ordinances, and be amenable to the order of and subject to removal by the recorders of said courts.

SEC. 8. *Be it further enacted, etc.*, That all the causes now pending in said municipal police courts, as well as the books, papers and records thereof, shall be transferred to the recorders' court herein created as soon as the recorders thereof shall have been duly qualified in accordance with the provisions of this act.

SEC. 9. *Be it further enacted, etc.*, That the act entitled "An act establishing four municipal courts in the city of New Orleans, and defining the jurisdiction and officers thereof, and repealing all laws establishing recorders' courts, and providing for the transfer of the records from the recorders' courts to the said municipal courts and for other purposes," approved May 17, 1871, be, and the same is, hereby repealed; said repeal to date from the day on which the recorder's name in this act shall have duly qualified in accordance with the provisions thereof.

SEC. 10. *Be it further enacted, etc.*, That should any vacancy occur at any time in the office of recorder as herein created, the same shall be filled by the Governor, and the person thus appointed to fill said vacancy shall serve (unless sooner removed) for the balance of the unexpired term which he shall be chosen to fill; *provided*, that in the temporary absence or sickness of either of said recorders, the City Council shall have the right to elect an assistant recorder, who shall possess the same qualifications as are herein prescribed for the recorders, and who shall have full power and authority to act as the recorder would have himself if present and acting, in case of absence of the recorder. The assistant recorder shall receive from the city the salary allowed that officer by this act, in his place and stead, and in case of sickness of the recorder the assistant shall receive a compensation of eight dollars per day for each day during which he shall so serve, which said compensation shall be paid by the City Council as before prescribed.

SEC. 11. *Be it further enacted, etc.*, That the said recorders may be tried by the City Council for malfeasance in office, or other offense, and be removed from office after trial, by the votes of five of the Administrators.

SEC. 12. *Be it further enacted, etc.*, That the said recorders shall have full power and authority to enforce all ordinances of the City of New Orleans, and shall have power, for violation of the same, to impose fines not to exceed twenty dollars for each offense, and in default of payment, to sentence the party fined to imprisonment for not more than thirty days.

SEC. 13. *Be it further enacted, etc.*, That the Fifth Municipal Police Court, situated in the Seventh District of the city of New Orleans, and created by act No. 71, of the year one thousand eight hundred and seventy-four, approved March twenty-third, 1874, be and the same is abolished, and the books and records of said court are hereby ordered to be turned over to the justice of the peace having jurisdiction in said Seventh District of said city.

SEC. 14. *Be it further enacted, etc.*, That the justice and constable of the Seventh Justice's Court for the Sixth District of the parish of Orleans shall each receive from the city of New Orleans a monthly salary of one hundred and twenty-five dollars, in lieu of all fees, costs and expenses in criminal cases, cognizable by said court, under the provisions of act number one hundred and twenty-nine of one thousand eight hundred and seventy-four, approved April sixteenth, one thousand eight hundred and seventy-four.

SEC. 15. *Be it further enacted, etc.*, That this act take effect from and after its passage, and acts conflicting therewith be and the same are hereby repealed.

(Signed) LOUIS BUSH,
Speaker of the House of Representatives.
(Signed) LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved May 1, 1877.
(Signed) FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL A. STRONG,
Secretary of State.