Landry, Lucke, McCullough, Pollard, Pope, Quinn, Robertson, Shaiffer, St. Clair, Verret, Williams of Terrebonne, Wise—27.

Nays—Messrs. Atkins, Billiu, Buchanan, Bulger, Crain, Curley, Devereaux, Farmer, Feazel, Franz, Gibson, Golsan, Hall, Haney, Henry, Herring, Ives, Jackson of Natchitoches, Joffrion, Kirk, Kleinpeter, Lancaster, Legendre, Letten, Lyons, Mahoney, Millaudon, Mixon, Morel, Munday, McDonald, McDowel, McLeroy, Newsom, Ogden of Bossier, Phipps, Richardson, Schneider, Shepherd, Vaughan, Voorhies, Weems, Yell, Young of Iberia—44.

Absent—Messrs. Archer, Armstrong, Barry, Baskin, Bulow, Butler, Carron, Davidson, Dillard, Faulkner, Harris, Herring, Jones, Morgan, McCain, Pearce, Phillips, Pritchard, Roche, Stringfellow, Talton, Varnado, Vincent, Williams of Morehouse, Young of St. Landry—24.

The motion was not agreed to.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, State of Louisiana, New Orleans, April 6, 1880.

To the Speaker and Members of the House of Representatives:

I have the honor to inform your honorable body that his Excellency the Governor has this day approved and signed House bills as follows:

House bill No. 322,

An act to enable the Citizens' Bank of Louisiana to make compromises and settlements with its mortgage stockholders; to enable said stockholders to free their real estate from said mortgages; to secure the application of the amounts realized from said mortgages to the payment of the State bonds issued in aid of the bank, and to use the legal liabilities and necessary expenses of said mortgage stock department; to increase the directors for the State on the board of said bank, and to confer on them certain duties and powers with reference to said compromise; to prescribe the conditions on which this act is passed and is to have effect, and to require and prescribe the mode in which the benefits of the act shall be accepted.

House bill No. 266,

An act to provide for present and future repairs to buildings belonging to the State Penitentiary.

Also,

House bill No. 262,

An act to put in force and effect article 209 of the constitution of the State of Louisiana.

Very respectfully,
P. MALOCHEE,
Private Secretary.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER, New Orleans, April 9, 1880.

To the Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in

House Concurrent Resolution,

Granting the use of rooms Nos. 6 and 7 in the University building at the corner of Baronne and Common streets, to the New Orleans Academy of Sciences.

And

House Concurrent Resolution,

Authorizing the boards of supervisors of the University of Louisiana, at New Orleans, and the Louisiana State University and Mechanical College, at Baton Rouge, to establish chairs of nautical education.

Respectfully, JOHN CLEGG,
Secretary of the Senate.

Mr. Atkins moved to suspend the rules in order to take up

Senate bill No. 68,

By a rising vote of 37 yeas to 21 nays the motion was not agreed to.

Mr. Jackson, of St. Mary, moved to adjourn until to-morrow at 11 a. m.

The motion was not agreed to.

Mr. Devereaux moved to suspend the rules, in order to take up

Senate bill No. 80.

The yeas and nays were ordered on this motion, and resulted as follows:

Yeas—Messrs. Billiu, Buchanan, Cade, Carron, Crain, Curley, Devereaux, Feazel, Gibson, Golsan, Hall, Haney, Harris, Henry, Ives, Kirk, Kleinpeter, Lancaster, Legendre, Mahoney, Millaudon, Mixon, Morel, Munday, McDonald, McDowell, McLeroy, Newsom, Phipps, Pope, Richardson, Robertson, Shepherd, Vaughan, Wise—35.

Nays—Messrs. Atken, Allain, Atkins, Bulger, Cayolle, Cosgrove, Deibel, Dickerson, Dudenhefer, Essex, Farmer, Faulkner, Frazier, Gardner, Hathaway, Heidenhain, Jackson of St. Mary, Joffrion, Kavanaugh, Landry, Letten, Lucke, Lyons, Morgan, McCullough Pollard, Quinn, Roche, Schneider, Schaiffer, St. Clair, Verret, Voorhies, Weems, Williams of Terrebonne, Yell, Young of Iberia—37.

Absent—Messrs. Archer, Armstrong, Barry, Baskin, Bulow, Butler, Davidson, Dillard, Franz, Herring, Jackson of Natchitoches, Jones, McCain, Ogden of Bossier, Pearce, Phillips, Pritchard, Stringfellow, Talton, Varnado, Vincent, Williams of Morehouse, Young of St. Landry—23.

The motion was not agreed to.

On motion of Mr. Gibson the House adjourned until 10 o'clock a. m. to-morrow, Saturday, April 10, 1880.

PETER J. TREZEVANT.
Clerk of the House of Representatives.

OFFICIAL.

LAWS OF THE STATE OF LOUISIANA.

PUBLISHED BY AUTHORITY.

REGULAR SESSION OF 1880.

No. 96.] AN ACT

Defining the duties of district attorneys throughout the State, and fixing their fees.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That it shall be the duty of the district attorneys throughout the State (the parish of Orleans excepted) to attend the sessions of the courts in each of their respective judicial districts, and shall represent the State in all civil and criminal actions. In the districts in which the Supreme Court shall hold sessions they shall also represent the State in all criminal cases coming before said court.

SECTION 2. *Be it further enacted, etc.*, That it shall be the duty of the district attorney and assistant district attorney of the parish of Orleans to conduct the prosecution of all criminal cases coming before the criminal courts of said parish.

SEC. 3. *Be it further enacted, etc.*, That the district attorneys throughout the State shall be entitled to receive, in addition to their salaries as allowed by the constitution, the following fees, to wit: Five dollars for each conviction on which the accused is finally sentenced only to pay a fine; ten dollars for each conviction on which the accused is finally sentenced to imprisonment in jail; fifteen dollars for each conviction on which the accused is finally sentenced to imprisonment in the penitentiary for a term shorter than life; twenty dollars for each conviction on which the accused is finally sentenced to imprisonment in the penitentiary for life; and twenty-five dollars for each conviction on which the accused is finally sentenced to death. He shall receive only one fee in any case, and shall not be paid his fee until the sentence has become final on appeal or otherwise.

SEC. 4. *Be it further enacted, etc.*, That the several district attorneys in this State (the parish of Orleans excepted) shall advise the police juries and parish school boards upon due application made, and shall represent them in all suits.

SEC. 5. *Be it further enacted, etc.*, That the district attorneys of this State (the parish of Orleans excepted) shall receive a commission of five (5) per cent on all amounts they may collect in any suit in favor of the State, parish or school boards, and the commissions, as now allowed by law, for collections on forfeited bonds.

SEC. 6. *Be it further enacted, etc.*, That all laws or parts of laws in conflict with this act be and the same are hereby repealed.

R. N. OGDEN,
Speaker of the House of Representatives.
S. D. McENERY,
Lieutenant Governor and President of the Senate.
Approved April 10, 1880.
LOUIS A. WILTZ,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 97.] AN ACT

To provide for the postponement of the payment of taxes in case of overflow, general conflagration, general destruction of the crops, or other public calamity, as provided for in article 212 of the constitution.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That in case of overflow, general conflagration, general destruction of the crops by storm, or other public calamity in any district or parish of this State, rendering the forcible collection of taxes in any such district or parish, on such account, impracticable, there shall be no such collection of taxes, State, parochial or municipal, on lands or other property so afflicted in any such district or parish during the year of such conflagration, destruction, overflow or other public calamity; but such payment or collection of taxes shall be postponed until the succeeding year or until another crop matures.

R. N. OGDEN,
Speaker of the House of Representatives.
S. D. McENERY,
Lieutenant Governor and President of the Senate.
Approved April 10, 1880.
LOUIS A. WILTZ,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 98.] AN ACT

To organize the Criminal District Court of the parish of Orleans as established by article 130 of the constitution of the State; to create a Board of Jury Commissioners for the parish of Orleans; providing for the appointment of the same and the filling of vacancies therein; fixing the number of the board; defining its duties, powers and compensation; providing for the manner of drawing and selecting and empaneling grand, petit and tales jurors for the parish of Orleans; providing for the division of the Criminal District Court for the parish of Orleans into sections; providing for an annual vacation for each of the judges of said court; providing for the transfer of causes pending in the Superior Criminal and the First District Courts for the parish of Orleans to the Criminal District Court for said parish; providing for the appointment of a shorthand reporter for the Criminal District Court for the parish of Orleans and fixing his salary, and to repeal all laws and parts of laws in conflict herewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That there shall be, in the parish of Orleans, a board of jury commissioners composed of three registered voters, residing in the parish of Orleans, the acts of two of them to be as valid and binding as if performed by all.

SEC. 2. *Be it further enacted, etc.*, That immediately after the organization of the Criminal District Court for the parish of Orleans the Governor shall appoint, from the registered voters of the parish of Orleans, three persons, to be removable at his pleasure, who shall constitute the board of jury commissioners. Each of the said commissioners shall receive a salary of six hundred dollars per annum, payable quarterly, by the city of New Orleans; and in case, from absence or from inability to act, there should be no quorum of said board of jury commissioners, the Governor shall fill such temporary vacancy or vacancies by the appointment of a commissioner or commissioners, who shall have full power to do and perform all acts appertaining to the office of jury commissioner. The said commissioners shall select, at large, impartially from the citizens of the parish of Orleans, having the qualifications requisite to register as voters, the names of not less than one thousand persons competent to serve as jurors, a list of whose names shall be made out and returned certified, under their hands, to the clerk of the Criminal District Court of the parish of Orleans, to be filed by him in his office; said list shall be kept complete, and supplemented, from time to time, before each drawing, and no drawing shall be made from a list of less than one thousand such names; and, in order to the proper preparation of such lists and supplemental lists, and to the selection by said commissioners of none but good and competent jurors (*provided*, that no person shall be compelled to serve as a juror oftener than once in two years in the district courts of the parish of Orleans), the said commissioners shall have, at all times, access to and the right to copy from the several books of registration of the parish of Orleans, and shall have authority to apply to the Criminal District Court for, and said court shall thereupon direct to be issued, subpœnas to secure the attendance of witnesses and the production of papers before said board of jury commissioners, and persons failing to obey such subpœnas may be punished for contempt. The said commissioners shall have power and are hereby required to administer the following oath to all persons appearing before them:

"You will well and truly answer such questions as may be put to you touching the qualifications of one ——— to serve as a juror. So help you God."

Any wilful and corrupt false swearing by any person before said commissioners, or either of them, shall be deemed wilful perjury, and punished in the manner now prescribed by law for such offense. Each of the names so selected on said list and on all supplemental lists shall be written out by said clerk on a separate slip of paper, together with the place of residence of each person, and the slips of paper on which shall be written the names and places of residence of the persons on the said lists shall be placed in a box or wheel to be kept for that purpose by the criminal sheriff of the parish of Orleans; and fifteen days before the expiration of every month in which said Criminal District Court shall hold its session the said commissioners, together with the said sheriff, shall draw from said box or wheel the number of names, not less than one hundred, ordered to be drawn by either of the judges of the Criminal District Court, and the persons whose names shall be so drawn shall constitute the petit jury for the month or session of the court succeeding such drawing, except in cases where it may be necessary to select a grand jury for the parish of Orleans, in which case the persons to compose the grand jury shall be first selected from the whole *venire* returned into court, and the remaining persons shall compose the petit jurors for the month; *provided*, that in any case where a jury has been selected and empaneled for the trial of any cause pending in said court, if the same be not concluded within the month, the jury so empaneled shall continue to serve until said cause is finally decided, or until otherwise discharged by the court.

SEC. 3. *Be it further enacted, etc.*, That the grand jury for the parish of Orleans shall consist of sixteen persons, twelve of whom shall constitute a quorum. It shall serve for three months, unless sooner discharged by the court. Each judge of the Criminal District Court shall, alternately, have entire control of the grand jury for the parish of Orleans, both as to its selection and instruction. In case of inability to act, from sickness or other cause, on the part of the judge to whose turn the care of the grand jury may devolve, the other judge of the Criminal District Court shall assume charge. The judge whose commission is for the longer term shall have the selection and direction of the first grand jury organized under this act.

SEC. 4. *Be it further enacted, etc.*, That drawings of juries for the civil district courts of the parish of Orleans shall be made by the Board of Jury Commissioners and the Civil Sheriff of the parish of Orleans, in the presence of the criminal sheriff of the parish of Orleans, who shall at all times have the custody of the jury wheel or box. The jury wheel or box shall be emptied of its contents and refilled with other names, whenever so ordered by either of the judges of the Criminal District Court.

SEC. 5. *Be it further enacted, etc.*, That whenever a petit jury for the Criminal District Court has been drawn, as above provided, and before the trial of every cause, it shall be the duty of the criminal sheriff to place in a box the names of the persons composing the said petit jury, and to draw therefrom, in open court, by lot; and the order in which the names shall be thus drawn shall be that in which they shall be presented for empaneling; *provided*, in case the said panel should be exhausted, the names of the tales jurors, drawn in conformity with existing laws, shall be placed by said criminal sheriff in said box, and shall by him be drawn in open court, by lot, and that said tales jurors shall be presented for empaneling in the same manner as herein provided for the regular panel of petit jurors.

SEC. 6. *Be it further enacted, etc.*, That the Criminal District Court for the parish of Orleans be divided into two sections, "A" and "B" of the Criminal District Court for the parish of Orleans; that the judge appointed for the short term shall preside in section "B" of said court; that the judge appointed for the long term shall preside in section "A" of said court; that each of said judges shall select the petit jury for his section, in conformity with the provisions of this act.

SEC. 7. *Be it further enacted, etc.*, That each of the judges of the Criminal District Court for the parish of Orleans may have an annual vacation of three months, during the time from the first of June to the first of December, they regulating the time between themselves; *provided*, that the court shall remain open during the entire year, and either one of the two judges shall hold court during the above mentioned period.

SEC. 8. *Be it further enacted, etc.*, That all causes pending in the Superior Criminal and the First District Courts for the parish of Orleans, on the thirty-first day of July, eighteen hundred and eighty, be transferred to the Criminal District Court for the parish of Orleans on the first Monday of August, eighteen hundred and eighty.

SEC. 9. *Be it further enacted, etc.*, That the clerk of the Criminal District Court for the parish of Orleans shall appoint a shorthand reporter for the Criminal District Court for the parish of Orleans, at a salary of twelve hundred dollars per annum.

SEC. 10. *Be it further enacted, etc.*, That all acts and parts of acts inconsistent herewith be and they are hereby repealed; and that this act take effect from and after the first Monday in August, eighteen hundred and eighty.

R. N. OGDEN,
Speaker of the House of Representatives.
S. D. McENERY,
Lieutenant Governor and President of the Senate.
Approved April 10, 1880.
LOUIS A. WILTZ,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 99.] AN ACT

To regulate the system of pilotage of the ports of the State; to define the qualifications of pilots, and to define the duties of the board of examiners, and to provide for the appointment of pilots.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That it shall be the duty of the board of examiners to report to the Governor any and all vacancies occurring by death, resignation or otherwise, in the number of pilots of the State, and also to call a meeting of the board of examiners for the examination of applicants to fill such vacancy.

SEC. 2. *Be it further enacted, etc.*, That no person shall hereafter be appointed a pilot for the entrance of the Mississippi river unless he be a duly qualified elector of the State of Louisiana, and shall have actually served in a pilot boat at the mouth of the Mississippi river for the space of at least twelve months next preceding the date of his application, and shall have been recommended to the Governor of the State by the board of examiners as being duly qualified as a branch pilot for the port of New Orleans.

SEC. 3. *Be it further enacted etc.*, That every branch pilot, in order to entitle him to act as such, shall give bond to the State, with two sufficient sureties, residents of New Orleans, in the sum of two thousand dollars ($2000), subject to the approval of the master and warden of the port of New Orleans.

SEC. 4. *Be it further enacted, etc.*, That if any outgoing vessels shall carry off to sea, through the fault of the master or owner of such vessel, any pilot, when a boat is attending to receive him, the masters and owners of such vessel shall pay, besides the pilotage, to the pilot the same monthly wages, during the passage of such vessel, as the chief mate is receiving, and said master or owner shall likewise pay said pilot's passage home, on the first vessel clearing for this port or for the nearest port convenient to it.

SEC. 5. *Be it further enacted, etc.*, That no branch pilot shall be allowed to leave his station for more than seven (7) consecutive days, unless he shall have obtained leave of absence from the Governor of the State, upon the written recommendation of the boards of examiners, under penalty of fifty dollars ($50), recoverable before any court of competent jurisdiction.

SEC. 6. *Be it further enacted, etc.*, That the Governor shall appoint, as pilots for the entrance of Calcasieu river and other entrances, ports or passes on the sea coast of the State, which are not already provided by existing laws, such number of duly qualified persons recommended by the boards of examiners, as the interest of the commerce of such ports may require, who shall be subject to existing laws, as far as applicable to such ports or passes.

R. N. OGDEN,
Speaker of the House of Representatives.
S. D. McENERY,
Lieutenant Governor and President of the Senate.
Approved April 10, 1880.
LOUIS A. WILTZ,
Governor of the State of Louisiana.
A true copy.
WILL. A. STRONG,
Secretary of State.

No. 100.] AN ACT

To amend section 3386 of the Revised Statutes of 1870.

Be it enacted by the General Assembly of the State of Louisiana, That section 3386 shall be and the same is hereby amended and re-enacted so as to read as follows, viz:

SECTION 3386. In case any legal road be closed, obstructed or changed in violation of the provisions of this act, it shall be the duty of the Police Jury, summarily, to open and remove all obstructions to said road, and to restore it to its former condition, at the expense of any person or persons who may have closed, obstructed or changed the same.

R. N. OGDEN,
Speaker of the House of Representatives.
S. D. McENERY,
Lieutenant Governor and President of the Senate.
Approved April 10, 1880.
LOUIS A. WILTZ,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 101.] AN ACT

To repeal section 3385 of the Revised Statutes of 1870.

Be it enacted by the General Assembly of the State of Louisiana, That section 3385 of the Revised Statutes of 1870 be and the same is hereby repealed.

R. N. OGDEN,
Speaker of the House of Representatives.
S. D. McENERY,
Lieutenant Governor and President of the Senate.
Approved April 10, 1880.
LOUIS A. WILTZ,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 102.] AN ACT

To transfer a certain balance in the State treasury now credited to the levee and drainage fund, to the general engineer fund.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the amount of seventeen thousand one hundred and sixteen dollars and sixty-two cents ($17,116 62), now in the State treasury to the credit of the levee and drainage fund, be and the same is hereby directed to be transferred to the credit of the general engineer fund for levee purposes, and the same shall be made use of according to existing law, solely for expenses incurred during the year 1880.

SEC. 2. *Be it further enacted, etc.*, That all laws or parts of laws in conflict with this act be and the same are hereby repealed.

(Signed) R. N. OGDEN,
Speaker of the House of Representatives.
S. D. McENERY,
Lieutenant Governor and President of the Senate.
Approved April 10, 1880.
LOUIS A. WILTZ,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 103.] AN ACT

Relative to the prescription of debts due to certain charitable and educational institutions and funds.

Be it enacted by the General Assembly of the State of Louisiana, That the term of prescription of any and all debts, due to any charitable institution in this State, to any college fund or fund of any institution of learning or to any fund bequeathed for charitable purposes, for the purpose of distribution to the poor or indigent, or for purposes of education; and of all debts contracted by borrowing the whole or part of any such funds, shall be thirty years; *provided*, the debt is evidenced by writing.

(Signed.) R. N. OGDEN,
Speaker of the House of Representatives,
S. D. McENERY,
Lieutenant Governor and President of the Senate,
Approved April 10, 1880.
LOUIS A. WILTZ,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 104.] AN ACT

Providing for the funding of certain obligations; designating a board to fund the same; prescribing the character of the bonds to be issued therefor, and defining the powers and duties of said board; authorizing the procurement of blanks and books by said board, and the employment of a clerk; creating a board of examiners; defining their powers and duties, and authorizing the employment of a clerk; providing for the preservation of warrants, when funded or exchanged for certificates; creating a fund for the redemption of the bonds herein authorized to be issued, and for the payment of the interest thereon, when due.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the Auditor of Public Accounts, the State Treasurer and the Attorney General of the State of Louisiana are hereby constituted a Funding Board, with power to fund all Auditor's warrants which they shall find to be valid and which are declared to be so fundable by the constitutional ordinance for the relief of delinquent taxpayers, and such obligations of public charitable institutions as are provided for by said ordinance; *provided*, the same are evidenced by judgment, as hereinafter established, in bonds of the denomination of five dollars, bearing interest and payable as provided in said ordinance. Any two members of said Funding Board shall constitute a quorum. The concurrence of two members of said Funding Board shall be required to adopt any motion, resolution, or proposition made before said board and to make legal any official action of said board; said Funding Board shall proceed, within sixty days from the promulgation of this act, and after thirty days' public advertisement, to fund said Auditor's warrants and said obligations of public charitable institutions into said bonds, as provided by said ordinance; "*provided*, the face of each five dollar bond shall state the number of the warrant or certificate and evidence to identify it with the warrant or certificate for which such bond may have been given in exchange."

SEC. 2. *Be it further enacted, etc.*, That no Auditor's warrants shall be taken as valid by said Funding Board for the purpose of funding the same as aforesaid, unless the same shall have first been examined by the Auditor, Treasurer and Attorney General of the State, and indorsed by them as valid. No obligation of public charitable institutions of the State, provided for in said ordinance, shall be received by said Funding Board or funded into said bonds, unless the same shall have first been liquidated and declared valid by judgment of a court of competent jurisdiction. The said bonds, with the coupons attached thereto, shall not exceed in size a treasury note of the United States of the denomination of $5, shall be numbered consecutively, signed by the Governor and Treasurer of the State, and be redeemable at the pleasure of the State, at the expiration of six years from January 1, 1880, in lawful money of the United State, at the office of the Treasurer of the State.

SEC. 3. *Be it further enacted, etc.*, That said Funding Board is hereby authorized to purchase and pay for all books and blanks necessary to carry out the provisions of said ordinance and of this act, and to employ a clerk for the necessary time, at an annual salary not to exceed the sum of twelve hundred dollars. It shall be the duty of said Funding Board to keep a full and correct record of all their proceedings, and particularly to describe therein the numbers, dates, amounts and character of all the Auditor's warrants by them funded, and the numbers and dates of the bonds given in exchange for each of them and to specify to whom and when issued.

SEC. 4. *Be it further enacted, etc.*, That the Auditor, Treasurer and Attorney General of the State are together constituted a board of examiners, who shall within twenty days from the promulgation of this act, and after public advertisement, proceed to examine such Auditor's warrants as they are authorized so to examine by said ordinance, and such of them as they shall find valid they shall indorse with a statement of that fact. They shall forthwith register, cancel and turn over to said Funding Board such Auditor's warrants as, after having been examined by them, [shall have] been found valid and indorsed by them as such, shall have been exchanged by them for certificates of the Auditor and Treasurer, as provided by said ordinance, together with a *proces verbal* specifying the numbers, dates and amounts of the certificates issued in lieu of each of said warrants, and to whom and when issued, and the Governor shall order said *proces verbal* to be published and to be filed in the office of the Secretary of State. Said board of examiners are hereby authorized to employ a clerk, for the necessary time, at an annual salary not to exceed the sum of twelve hundred dollars, and it shall be their duty to keep a full and correct record of all their proceedings and particularly to describe therein the numbers, dates, amounts and character of all warrants indorsed by them as valid, such as they shall have rejected. All warrants rejected shall be stamped rejected, and such as they shall have exchanged for certificates; when and by whom presented for examination and to whom they have delivered such as they have indorsed as valid.

It shall be the duty of the Funding Board to deposit in the office of the State Treasurer all warrants which may come into the possession of said board, under this act, which shall be preserved in the archives of his office by the State Treasurer, in the same manner as the State warrants which have been paid by the State Treasurer. The face of the certificates issued shall state the numbers of the warrants for which the certificates were given. Said Funding Board shall cause to be filed in the office of the Secretary of State a *proces verbal* enumerating and describing all warrants by them deposited in the office of the State Treasurer; and the Secretary of State shall cause said *proces verbal* to be published in the official journal.

SEC. 5. *Be it further enacted, etc.*, That no warrant shall be fundable or receivable for taxes or exchanged for certificates unless bearing date subsequent to the first day of January, A. D. 1875, except as otherwise provided for in the constitution of the State, and outstanding at the date of the adoption thereof; *provided*, this shall not apply to warrants to be issued by the Levee Company, which shall be received and provided for as they are directed by said constitutional ordinance to be received.

R. N. OGDEN,
Speaker of the House of Representatives.
S. D. McENERY,
Lieutenant Governor and President of the Senate.
Approved April 10, 1880.
LOUIS A. WILTZ,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 105.] AN ACT

To authorize the police jury to provide for funding the floating and outstanding indebtedness of the parish of East Feliciana, to verify the legality of said indebtedness and ascertain its amount, and to provide for the payment of the principal and interest thereof by special tax for that purpose, and to limit the rate of interest on said indebtedness. Due and legal notice having been given, as provided by article 48 of the constitution of Louisiana, of the intention to apply for the passage of this act; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the police jury of the parish of East Feliciana be and they are hereby authorized to fund the outstanding indebtedness of said parish, to an amount not exceeding twelve thousand dollars, by issuing bonds of the parish therefor, maturing in not less than five nor more than twenty years from the date of their issuance, at the rate of not more than sixty cents on the dollar of said indebtedness, and to bear interest at such a rate, per annum, not to exceed five per cent, nor less than three per cent, as said police jury may determine.

SEC. 2. *Be it further enacted, etc.*, That all claims against said parish shall be submitted to a board of audit, composed of the president of the police jury and two freeholders, citizens of said parish, to be elected by said police jury. That each member of said board shall take an oath before entering upon the discharge of his duties as a member thereof to faithfully perform the same; to designate for funding all such debts as are legal and valid in law, and to reject all others.

SEC. 3. *Be it further enacted, etc.*, That in case the police jury of said parish accept the provisions of this act by passing an ordinance to that effect, the members of said board of audit shall, at a time and place to be fixed by said ordinance, meet and take the oath prescribed, and proceed to the auditing and adjusting the claims against said parish.

SEC. 4. *Be it further enacted, etc.*, That said board of audit shall organize by electing one of their own members president, and shall also select some suitable person to act as secretary of the board, and that said secretary shall take an oath to faithfully perform the duties incumbent upon him as such. Two members of said board shall constitute a quorum for the transaction of business; and all cases in which the two members present cannot agree, shall be laid over for action to be held thereon by a full board. In case a vacancy occurs in said board it shall be filled by the police jury of said parish.

SEC. 5. *Be it further enacted, etc.*, That when organized, said board of audit shall give notice, by advertising thirty days in a newspaper published in said parish, of the time and place at which they will begin the work of auditing the parish indebtedness and the time of their regular meeting. They shall also give notice in said advertisement, that, within three months from the time of their first meeting, the work of auditing will close; and that all creditors of the parish, whose claims have not been presented within the time designated, will not be audited or funded.

SEC. 6. *Be it further enacted, etc.*, That said Board of Audit shall keep in a book or books a complete register of all claims audited, showing the nature, date, amount of the claim and name of the holder, which shall be numbered in the consecutive order in which they are audited; and a similar register of all rejected claims shall be kept, with an accurate index of each.

SEC. 7. *Be it further enacted, etc.*, That any person aggrieved by the rejection of any claim may establish its validity contradictorily with the parish; and any taxpayer of said parish may institute suit before a competent court, in his own name, to contest the validity of any claim audited; *provided*, said suit shall be instituted within thirty days from the date said board closes the work of auditing, and in case the decision of the court shall be adverse to the validity of the claim, the same shall not be funded.

SEC. 8. *Be it further enacted, etc.*, That after the expiration of four months from the time when said board shall have commenced the work of auditing, said board shall proceed to issue bonds for the debts audited in favor of the creditors of the parish, which bonds, with interest coupons attached, shall be furnished by the police jury, and be for sums of twenty-five, fifty, one hundred, two hundred, three hundred, four hundred, five hundred and one thousand dollars; said bonds shall be signed by the president of the police jury and countersigned by the secretary of the board of audit; but said bonds shall only be issued by the sanction of said board and under the immediate supervision thereof.

SEC. 9. *Be it further enacted, etc.*, That the said bonds shall be numbered in the consecutive order in which they are issued, and shall be registered in a well bound book, which book shall also contain an accurate record of the debt or debts for which said bonds shall have been issued; and said book shall be deposited, together with all the other books of said board of audit, with the parish treasurer, after the completion of the labors of the board.

SEC. 10. *Be it further enacted, etc.*, That in case the right to fund any claim under the provisions of this act is contested in the courts and the final decision shall be in favor of the validity of the claim, the board of audit shall proceed to issue bonds for the same, as if no contest had taken place, and shall preserve their organization for that purpose until all such suits shall be decided.

SEC. 11. *Be it further enacted, etc.*, That all bonds issued under the provisions of this act shall bear date of the day, month and year in which the first bond is issued, and draw interest, payable annually in currency, on the first day of January of each year.

SEC. 12. *Be it further enacted, etc.*, That the police jury of said parish are hereby authorized and required to levy annually a special tax, to be paid in currency, in addition to the other parish taxes of two mills, to pay the interest promptly on said bonds as the same shall fall due, and to create a sinking fund sufficient in amount to insure the payment of the principal of said bonds at maturity; that the fund thus created shall be held as a special fund, sacred for the purposes for which it is created, and under no circumstances shall any portion thereof be applied to any other purpose; *provided*, the two mills so levied does not increase the parish taxation, for all purposes whatsoever, beyond ten mills, as provided in article 209 of the constitution.

SEC. 13. *Be it further enacted, etc.*, That the members of said board of audit, and the secretary thereof, shall receive such compensation for their services in funding said debt, as may be provided by the police jury of said parish.

R. N. OGDEN,
Speaker of the House of Representatives.
S. D. McENERY,
Lieutenant Governor and President of the Senate.
Approved April 10, 1880.
LOUIS A. WILTZ,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 106.] AN ACT

Relative to the powers and duties of clerks of district courts and their deputies throughout the State, the parish of Orleans excepted.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That the clerks of the district courts throughout the State (the parish of Orleans excepted) shall have power to grant orders for writs of arrest, attachment, sequestration, and provisional seizure, and fixing the amount of bond therefor, except when the amount is fixed by law, and to order calls in warranty and to issue citations thereon.

SEC. 2. They shall have power to issue commissions to take the testimony of witnesses, residing in or out of the State, and to appoint commissioners to execute the same; to grant orders for affixing seals, taking inventories and making partitions, and appoint attorneys for absent heirs, to appoint and confirm tutors, under tutors, dative testamentary executors, administrators, curators of vacant successions, after giving the notices prescribed by law; *provided*, that no opposition be made thereto; also to order family meetings, and if no opposition be made, to homologate their proceedings.

SEC. 3. In the absence of the judge from the parish, or in case of his recusation, they shall have the power to order the executions of wills and to confirm testamentary executors; also to grant writs of injunction. In such cases the oath of the party, or his attorney, that the judge is absent from the parish, or that being recused he is unable to give the order, must be annexed to the petition, or application; *provided*, that when the clerk grants orders of injunction for a specific sum of money, he shall require bond, in an amount equal to one-half of the sum enjoined; and when the sale of specific property is enjoined by the defendant, or any third party, the bond shall be for an amount equal to one-half of the estimated value thereof, as certified to by the officer making the seizure, or in an amount equal to one-half of the claim under which the seizure was made, at the option of the plaintiff in the injunction.

SEC. 4. They shall have power to convoke meetings of creditors of insolvent successions or of insolvent debtors, and to take the necessary bonds required of curators and syndics; to issue orders for the advertisement of the filing of tableaux and accounts of tutors, executors and administrators, of curators of vacant successions, and of interdicted persons; and of syndics of insolvent successions and of insolvent debtors.

SEC. 5. They shall have the power to order executors, tutors, administrators, curators and syndics to file accounts within ten days after any such order may be served; and it shall be their duty to grant such orders when required by any party in interest; one additional day shall be allowed for every ten miles between the residence of the party so ordered and the court-house.

SEC. 6. In all cases of opposition, filed in the clerk's office, it shall be his duty to place opposition on the docket of the court. In all cases when the orders granted by the clerk require the services of a notary, the commission shall be issued to the notary indicated by the party obtaining the order.

SECTION 7. Clerks, with the approval of the judge, may appoint deputies, who shall take the oath required by the constitution. They shall exercise all the powers granted to clerks, *ex officio* recorder of conveyances, mortgages and other acts, and *ex officio* notaries public, and *ex officio* clerks of courts of appeal, except such judicial powers as are herein or may be hereafter granted under article one hundred and twenty-two (122) of the constitution, which shall belong to the clerks alone; in the event of the death, resignation or removal of any clerk of a district court, one or more of them, to be designated by the judge, shall continue in office, until his successor shall have been appointed or elected and duly qualified.

SEC. 8. Nothing in this act shall be so construed as to interfere with or curtail the powers and duties of clerks and their deputies under existing laws.

R. N. OGDEN,
Speaker of the House of Representatives.
S. D. McENERY,
Lieutenant Governor and President of the Senate.
Approved April 10, 1880.
LOUIS A. WILTZ,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 107.] AN ACT

To provide for the sale of all property forfeited or sold to the State for delinquent taxes or licenses.

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That on the third Monday of January, 1881, and each subsequent year, the tax collectors throughout the State of Louisiana shall prepare a complete descriptive list of all property forfeited or sold for delinquent taxes or licenses and not redeemed, as provided in article 1 of the ordinance for the relief of delinquent taxpayers, and which may be situated in their respective district or parish, and shall offer the same for sale on the first Saturday in March, and from day to day thereafter, after having caused the same to be advertised, as provided for judicial sales; *provided*, that for all advertisements under the provisions of this act the same charges shall be made as for judicial advertisement.

SEC. 2. *Be it further enacted, etc.*, That on the day fixed for the sale, the collector shall, within the hours prescribed by law for judicial sales, and at the place where judicial sales are usually made in the district or parish, offer the said property in the order in which it was advertised for sale to the highest and last bidder, and without appraisement and for cash; *provided*, the tax collector shall not receive a bid for a less amount than the sum necessary to pay all taxes and licenses that may be due the State or any political corporation therein, together with all penalties, costs, interest and charges which may be attached to such property.

The party bidding the highest for any piece of property thus offered shall be adjuged the purchaser, and to whom the tax collector shall proceed at once to make title in due form upon payment of the amount of money bid, and all such deeds of sale shall be received in courts in evidence as *prima facie* valid titles and upon which the purchaser shall be put into immediate possession of the property thus purchased.

SEC. 3. *Be it further enacted, etc.*, That when any property forfeited or sold to the State has been once advertised and offered for sale in accordance with the provisions of this act, and has failed to sell for the sum necessary to pay the amount due for taxes, costs, etc., then the tax collector shall re-advertise it in the same manner as provided for in the first sale, and shall sell the same on the first Saturday in April, 1881, and it shall be sold for what it will bring in cash, without limit, and the title be made to the purchaser as provided in section 2 of this act.

SEC. 4. *Be it further enacted, etc.*, That for all money received from the sale of forfeited property the tax collector shall account to the proper authorities in the same manner as if taxes were collected in the usual way, and shall receive the same compensation.

SEC. 5. *Be it further enacted, etc.*, That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

R. N. OGDEN,
Speaker of the House of Representatives.
S. D. McENERY,
Lieutenant Governor and President of the Senate.
Approved April 10, 1880.
LOUIS A. WILTZ,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of Senate.

No. 108.] AN ACT

To amend and re-enact act No. 11 of the General Assembly of 1876, being entitled "An act to amend and re-enact section 13 of act No. 9, approved February 27, 1871, styled 'An act to provide for the supplying the loss of public records and other papers consumed by the burning of the court-house in the parish of Morehouse, on the sixteenth of March, 1870.'"

SECTION 1. *Be it enacted by the General Assembly of the State of Louisiana*, That act No. 11 of the General Assembly of 1876, being entitled "An act to amend and re-enact section 13 of act No. 9, approved February 27, 1871, styled 'An act to provide for the supplying the loss of public records and other papers consumed by the burning of the court-house in the parish of Morehouse, on the sixteenth of March, 1870,'" be amended and re-enacted so as to read as follows: "That section 13 of act No. 9, passed in February, 1871, which reads as follows: 'That the provis