

Proposed Amendments to the Constitution

To be Voted for at an Election to be Held

TUESDAY, NOVEMBER 8, 1904.

ACT NO. 12.

By Mr. Pearce. House Bill No. 54.
JOINT RESOLUTION.

Proposing an amendment to Article 255 of the Constitution of the State of Louisiana relative to the removal of the limitation on appropriations for the maintenance and support of the Louisiana State University and Agricultural and Mechanical College.

Section 1. Be it resolved by the General Assembly of the State of Louisiana, two-thirds of all the members elected to each house concurring, that Article 255 of the Constitution of the State of Louisiana be amended so as to read as follows:

Article 255. The Louisiana State University and Agricultural and Mechanical College founded upon the land grants of the United States to endow a seminary of learning and a college for the benefit of agriculture and mechanic arts now established and located in the City of Baton Rouge, is hereby recognized; and all revenues derived and to be derived from the Seminary fund, the Agricultural and Mechanical College fund, and other funds or lands donated or to be donated by the United States to the State of Louisiana for the use of a seminary of learning or of a college for the benefit of agriculture or the mechanic arts, shall be appropriated exclusively to the maintenance and support of said Louisiana State University and Agricultural and Mechanical College; and the General Assembly shall make such additional appropriations as may be necessary for its maintenance and support and improvement, and for the establishment, in connection with said institution, of such additional scientific or literary departments as the public necessities and the well-being of the people of Louisiana may require.

The Tulane University of Louisiana, located in New Orleans, is hereby recognized as created and to be developed in accordance with the provisions of the legislative act, No. 43, approved July 5, 1884, and by approval of the electors, made part of the Constitution of the State.

Sec. 2. Be it further resolved, etc., That said proposed amendment be submitted to the electors of the State of Louisiana for their approval or rejection, as required by Article 321 of the Constitution of Louisiana and the general election laws of the State at the Congressional election to be held in this State in November, 1904.

R. H. SNYDER,
Speaker of the House of Representatives.

F. M. LAMBREONT,
President pro tem. of the Senate.
Approved June 17th, A. D. 1904.
NEWTON C. BLANCHARD,
Governor of the State of Louisiana.

A true copy:
JOHN T. MICHEL,
Secretary of State.

ACT NO. 13.

By Mr. Henriques. House Bill No. 141.
JOINT RESOLUTION.

Proposing an amendment to the Constitution of the State of Louisiana, providing for the exemption from taxation for a period of ten (10) years from the date of its completion, of all railroads or parts of railroads constructed subsequently to January 1, 1905.

Section 1. Be it resolved by the General Assembly of the State of Louisiana, two-thirds of all the members elected to each House concurring therein, that the following amendment to the Constitution of the State of Louisiana be submitted to the electors of the State at the next election for Representatives in Congress, to be held on the first Tuesday after the first Monday in November, 1904, to-wit: There shall be exempt from taxation for a period of ten years from the date of its completion, any railroad or part of railroad that shall have been constructed and completed subsequently to January 1, 1905, and prior to January 1, 1909. This exemption shall include and apply to all the rights of way, roadbed, sidings, rails and other superstructures upon such rights of way, roadbed or sidings; and to all depots, station-houses, buildings, erections and structures appurtenant to such railroads and the operation of the same; but shall not include the depots, warehouses, station-houses and other structures and appurtenances nor the land upon which they are erected at terminal points, and for which franchises have been granted and obtained; whether same remain the property of the present owner or owners, or be transferred or assigned to any corporation or corporations, person or persons whomsoever, and provided further that this exemption shall not apply to double tracks, sidings switches, depots or other improvements or betterments which may be constructed by railroads now in operation within the State, other than extensions or new lines constructed by such railroads.

R. H. SNYDER,
Speaker of the House of Representatives.

J. Y. SANDERS,
Lieutenant Governor and President of the Senate.

Approved June 17, A. D. 1904.
NEWTON C. BLANCHARD,
Governor of the State of Louisiana.

A true copy:
JOHN T. MICHEL,
Secretary of State.

ACT NO. 14.

By Mr. Pearce. House Bill No. 49.
JOINT RESOLUTION.

Proposing an amendment to Article 256 of the Constitution of the State of Louisiana, relative to the removal of the limitation on appropriations for the Louisiana Industrial Institute, located at Ruston, for maintenance and support.

Section 1. Be it resolved by the General Assembly of the State of Louisiana, two-thirds of all the members elected to each House concurring, That Article 256 of the Constitution of the State of Louisiana, be amended, and reenacted so as to read as follows:

Article 256. The Louisiana State Normal School, established and located at Natchitoches; the Industrial Institute and College of Louisiana whose name is hereby changed to the Louisiana Industrial Institute, established and located at Ruston, and the Southern University, now established in the city of New Orleans, for the education of persons of color, are hereby recognized; and the General Assembly is directed to make such appropriations from time to time as may be necessary for the maintenance, support and improvement of these institutions; provided that the appropriation for the maintenance and support of the Southern University shall not exceed ten thousand dollars per annum.

Section 2. Be it further resolved, etc., That said proposed amendment be submitted to the electors of the State of Louisiana for their approval or rejection, as required by Article 321 of the Constitution of Louisiana and the general election laws of this State, at the Congressional election to be held in this State in November, 1904.

R. H. SNYDER,
Speaker of the House of Representatives.

F. M. LAMBREONT,
President pro tem. of the Senate.

Approved June 17th, A. D. 1904.
NEWTON C. BLANCHARD,
Governor of the State of Louisiana.

A true copy:
JOHN T. MICHEL,
Secretary of State.

ACT NO. 29.

By Mr. Barrett. Senate Bill No. 14.
AN ACT.

JOINT RESOLUTION.
Proposing an amendment to Article 109 of the Constitution of the State of Louisiana of 1898, relative to District Courts.

Section 1. Be it resolved by the General Assembly of the State of Louisiana, two-thirds of all the members of each House concurring, That paragraph 1 of Article 109 of the Constitution of the State of Louisiana, of 1898; be so amended as to read as follows:

Article 109. The District Courts, except in the Parish of Orleans, shall have original jurisdiction in all civil matters where the amount in dispute shall exceed Fifty Dollars, exclusive of interest, and in all cases where the title to real estate is involved, or to office or other public position, or civil or political rights, and all other cases where no specific amount is in contest, except as otherwise provided in this Constitution.

They shall have unlimited and exclusive jurisdiction in all criminal cases except as may be vested in other courts authorized by this Constitution; and in all probate and succession matters, and where a succession is a party defendant; and in all cases where the State, parish, any municipality or other political corporation is a party defendant, regardless of the amount in dispute; and for all proceedings for the appointment of receivers or liquidators to corporation or partnership; and said court shall have authority to issue all such writs, process and orders as may be necessary or proper for the purposes of the jurisdiction herein conferred upon them. There shall be one District Judge in each Judicial District, except in the First and Twenty-first Judicial Districts, where, until otherwise provided by law, there shall be two District Judges, but the Judges of the Twenty-first Judicial District shall not be residents of the same parish. District Judges shall be elected by a plurality of the qualified voters of their respective districts in which they shall have been actual residents for two years next preceding their election. They shall be learned in the law and shall have practiced law in the State five years previous to their election.

Section 2. Be it further resolved, etc., That the foregoing amendment to the Article of the Constitution of the State, if adopted, shall become operative on the first day of December 1904, and the Governor of the State shall appoint by and with the advice and consent of the Senate, the additional judge provided for the First Judicial District, who shall hold his office until the Congressional election in November 1906 at which time the said office shall be filled by election, by the qualified electors of the First Judicial District, Caddo Parish, Louisiana, for a term of two years, or until the next Judicial election, when both Judges of said District will be elected.

Section 3. Be it further resolved, etc., That said proposed amendment be submitted to the electors for their approval or rejection, as required by the Constitution, Article 321, of the State of Louisiana, and the general election laws of this State, at the Congressional election to be held in this State in November, 1904.

R. H. SNYDER,
Speaker of the House of Representatives.

J. Y. SANDERS,
Lieutenant Governor and President of the Senate.

Approved June 21, A. D. 1904.
NEWTON C. BLANCHARD,
Governor of the State of Louisiana.

A true copy:
JOHN T. MICHEL,
Secretary of State.

ACT NO. 33.

By Mr. Lambremont. Senate Bill No. 56.
JOINT RESOLUTION.

Proposing an amendment to the Constitution of the State of Louisiana, amending Article 46 of the Constitution, so as to authorize the General Assembly to issue and direct the disposition of one million dollars of State bonds in aid of the State's system of public education.

Section 1. Be it resolved by the General Assembly of the State of Louisiana, two-thirds of all the members elected to each House concurring, That an amendment to the Constitution of the State of Louisiana be submitted to the qualified electors of the State for their approval or rejection at the Congressional election to be held on the first Tuesday next following the first Monday in November, 1904, amending Article 46 of the Constitution so as to read as follows:

Article 46. The General Assembly shall have no power to contract, or to authorize the contracting of, any debt or liability, on behalf of the State; or to issue bonds or other evidence of indebtedness thereof, except for the purpose of repelling invasion, or for the suppressing of insurrection; provided, that for the purpose of acquiring school sites, and the purchase or erection of school houses and buildings and their equipment, in aid of the State's system of public education, the General Assembly, elected in April, 1904, is given authority to issue and direct the disposition of one million dollars of bonds of the State, running for a period not exceeding twenty-five years from the date of their issue, bearing a rate of interest not exceeding three per cent, per annum, payable semi-annually, which bonds shall be exempt from all taxation, and in order to render this exemption the more effectual, the par value of any such bonds shall be deducted for all purposes of taxation from the aggregate value of the capital or shares of any bank or other financial institution, or corporation holding said bonds for a period of over six months prior to the first day of January, in the year for which the tax assessment is made.

Section 2. Be it further resolved, That the official ballots to be used at said election shall have printed thereon the words: "For the proposed amendment to Article 46 of the Constitution, relative to bonds in aid of the State's system of public education;" and the words: "Against the proposed amendment to Article 46 of the Constitution, relative to bonds in aid of the State's system of public education;" and each elector shall indicate, as provided in the general election laws of the State, whether he votes for or against the proposed amendment.

R. H. SNYDER,
Speaker of the House of Representatives.

J. Y. SANDERS,
Lieutenant Governor and President of the Senate.

Approved June 23, 1904.
NEWTON C. BLANCHARD,
Governor of the State of Louisiana.

A true copy:
JOHN T. MICHEL,
Secretary of State.

ACT NO. 112.

By Mr. Madden. Senate Resolution No. 41.
JOINT RESOLUTION.

Proposing an amendment to Article 303 of the Constitution of the State of Louisiana, relative to pensions for Confederate Veterans.

Section 1. Be it resolved by the General Assembly of the State of Louisiana, two-thirds of all members elected to each House concurring, That Article three hundred and three of the Constitution of the State of Louisiana, as amended by Act No. seventy-three of the General Assembly of 1900, be so amended as to read as follows:

Article 303. A pension not to exceed eight dollars (\$8) per month shall be allowed to each Confederate soldier or sailor veteran, who possesses all of the following qualifications:

1. He shall have served honorably from the date of his enlistment until the close of the late Civil War, or until he was discharged or paroled, in some military organization regularly mustered into the army or navy of the Confederate States, and shall have remained true to the Confederate States until the surrender.

2. He shall be in indigent circumstances, and unable to earn a livelihood by his own labor or skill.

3. He shall not be salaried or otherwise provided for by the State of Louisiana, or by any other State Government. In case he enlisted in any organization mustered into said service as a Louisiana organization, or in case at the date of his enlistment he resided in the State of Louisiana, he shall have resided in this State for at least five years prior to his application for a pension. In case he resided elsewhere than in this State, and enlisted in an organization not mustered in from Louisiana, or in the Navy of the Confederate States, he shall have resided in this State for at least fifteen years prior to his application for such pension. A like pension shall be granted to the widow who shall not have married again, in indigent circumstances, of such soldier or sailor whose marriage to her was contracted prior to January 1st 1875, provided, that if her deceased husband served in an organization mustered in from Louisiana, or if he resided in Louisiana at the date of his enlistment, and has so resided for one year prior thereto, then in order that such widow shall be entitled to the pension as herein provided, she shall have resided in this State for at least five years prior to her application therefor; and if her deceased husband enlisted elsewhere than in Louisiana, and served in an organization not mustered in from Louisiana, such widow shall, in order to entitle her to pension as herein provided, have re-

sided in this State for not less than fifteen years prior to her application for such pension; provided further, that pensions whether to veterans or to widows, shall be allowed only from the date of application under this article, and the total appropriations for all pensions shall not be less than seventy-five thousand (\$75,000) dollars nor more than one hundred and fifty (\$150,000) dollars in any one year; provided, that nothing in this article shall be construed so as to prohibit the General Assembly from providing artificial limbs to disabled Confederate soldiers or sailors.

Section 2. Be it further resolved, That this proposed amendment be submitted to the qualified voters of the State of Louisiana for adoption or rejection at the Congressional election to be held on the first Tuesday next following the first Monday in November, 1904.

That the official ballots to be used at said election shall have printed thereon the words: "For the Proposed Amendment to Article 303 of the Constitution of the State of Louisiana, relative to Pensions for Confederate Veterans," and the words: "Against the Proposed Amendment to Article 303 of the Constitution of the State of Louisiana, relative to Pensions for Confederate Veterans," and each elector shall indicate as provided in the general election laws of the State, whether he votes for or against the Amendment.

R. H. SNYDER,
Speaker of the House of Representatives.

F. M. LAMBREONT,
President pro tem. of the Senate.

Approved July 4, A. D. 1904.
NEWTON C. BLANCHARD,
Governor of the State of Louisiana.

A true copy:
JOHN T. MICHEL,
Secretary of State.

ACT NO. 123.

By Mr. Marks. House Bill No. 341.
JOINT RESOLUTION.

Proposing an amendment to Article 249 of the Constitution of the State of Louisiana relative to the office of State Superintendent of Public Education.

Section 1. Be it resolved by the General Assembly of the State of Louisiana, two-thirds of all the members elected to each House concurring, That Article two hundred and forty-nine (249) of the Constitution of the State of Louisiana, be so amended as to read as follows:

Article two hundred and forty-nine (249): There shall be elected by the qualified electors of the State, a Superintendent of Public Education, who shall hold his office for the term of four years, and until his successor is qualified. His duties shall be prescribed by law, and he shall receive an annual salary of Three Thousand Dollars. The aggregate annual expense of his office, including his salary, shall not exceed the sum of four thousand dollars.

Section 2. Be it further resolved, etc., That this proposed amendment shall be submitted to the qualified voters of the State for adoption or rejection at the Presidential and Congressional election to be held in November 1904, and that if adopted, the same shall take effect on the 1st day of January 1905.

Section 3. Be it further resolved, etc., That on the official ballots to be used at said election there shall be placed the words: "For the proposed amendment to Article 249 of the Constitution of the State of Louisiana" and the words "Against the proposed amendments to Article 249 of the Constitution of the State of Louisiana" and each elector shall indicate, as provided in the general election laws of the State, which of the propositions "for" or "against" he votes for.

R. H. SNYDER,
Speaker of the House of Representatives.

F. M. LAMBREONT,
President pro tem. of the Senate.

Approved July 6, A. D. 1904.
NEWTON C. BLANCHARD,
Governor of the State of Louisiana.

A true copy:
JOHN T. MICHEL,
Secretary of State.

ACT NO. 132.

By Mr. Barrett. Senate Bill No. 123.
AN ACT.

Joint resolution proposing amendments to Article 98, 99, 100, 106 and 131, and proposing the repeal of Article 105 of the Constitution of the State of Louisiana relative to the Judiciary Department.

Section 1. Be it resolved by the General Assembly of the State of Louisiana, two-thirds of all the members elected to each House concurring, That Article 98 of the Constitution of the State of Louisiana be amended so as to read as follows:

Article 98. The Courts of Appeal, except as otherwise provided in this Constitution, shall have appellate jurisdiction only, which jurisdiction shall extend to all cases, civil and probate, when the matter in dispute or the fund to be distributed shall exceed One Hundred Dollars, exclusive of interest, and shall not exceed Two Thousand Dollars, exclusive of interest, and such appeal shall be upon the law and the facts.

Section 2. Be it further resolved, etc., that Article 99 of the Constitution of the State of Louisiana be so amended as to read as follows:

Article 99. The Courts of Appeal shall consist of three judges each. They shall be citizens of the United States and qualified electors of this State, learned in the law and shall have practiced law in this State for six years and shall have been actual residents of the district from which they are elected or appointed for at least two years preceding their election or appointment. They and the judges of the Court of Appeals for the Parish of Orleans shall each receive a salary of not less than four thousand dollars per annum, payable monthly on his own warrant, and

the Legislature shall make adequate appropriation to pay the same.

Section 3. Be it further resolved, etc., That Article 100 of the Constitution of the State of Louisiana be so amended as to read as follows:

Article 100. Exclusive of the parishes whose appeals are returnable to the Parish of Orleans, the State shall be divided into two circuits to be subdivided into districts as hereinafter provided. Until otherwise provided by law the parishes of East Baton Rouge, West Baton Rouge, Livingston, Tangipahoa, Washington, St. Helena, Pointe Coupee, Iberville, St. Mary, Terrebonne, Assumption, Lafourche, Ascension, Calcasieu, Cameron, Vermillion, Lafayette, Iberia, St. Martin, St. Tammany, Acadia, East Feliciana, West Feliciana, St. Landry and Vernon, shall compose the first circuit and be known as the "Court of Appeals First Circuit, State of Louisiana," and the parishes of Caldo, Bossier, Webster, Bienville, Calborne, Union, Lincoln, Jackson, Caldwell, Winn, Natchitoches, Sabine, DeSoto, Red River, Ouachita, Richland, Franklin, Catahoula, Concordia, Tensas, Madison, East Carroll, West Carroll, Morehouse, Avoyelles, Rapides, and Grant shall compose the Second Circuit and be known as the Court of Appeals Second Circuit, State of Louisiana.

The circuits above provided for, until otherwise provided by law, shall be divided into three districts each, as follows: The parishes of Calcasieu, Cameron, Vermillion, Lafayette, St. Martin, Acadia, St. Landry, Vernon and Iberia shall compose the First District of the First Circuit, and the parishes of West Baton Rouge, Ascension, Pointe Coupee, Iberville, St. Mary, Terrebonne, Assumption and Lafourche shall compose the Second District of the First Circuit; and the parishes of East Baton Rouge, Livingston, Tangipahoa, St. Helena, St. Tammany, East Feliciana, West Feliciana and Washington shall compose the Third District of the First Circuit; and the parishes of Richland, Concordia, East Carroll, West Carroll, Franklin, Madison, Tensas, Ouachita, Morehouse and Catahoula shall compose the First District of the Second Circuit; and the parishes of Bienville, Calborne, Jackson, Lincoln, Caldwell, Union, Bossier, Winn, Webster and Grant shall compose the Second District of the Second Circuit; and the parishes of Caddo, DeSoto, Natchitoches, Rapides, Sabine, Avoyelles and Red River shall compose the Third District of the Second Circuit. For each of the circuits there shall be elected three judges, as herein provided for, one judge to be elected by the qualified electors of each district as above designated.

The First Court of Appeals to be organized in the circuits herein established under this amendment to the Constitution shall be as follows: There shall be elected by the qualified electors thereof one judge for each of the districts in the two circuits at the Congressional and Presidential elections, in November, 1904. The judges for each of the first districts above named shall be elected for a term of four years, beginning on the first day of January, 1905; and the judges for each of the second districts above named shall be elected for a term of six years, beginning on said date; and the judges for each of the third districts above named shall be elected for a period of eight years, beginning on said date. Upon expiration of the term of office of each of the judges thus elected, his successor shall be elected for a term of eight years, by the qualified electors of such district of each circuit; the election of each judge herein provided for shall take place at the same time and place as the Congressional election next preceding the expiration of his term; the judges provided for herein are to be elected at the same election as the submission of these Constitutional amendments, with the proviso that if these amendments to Constitution are adopted, the judges elected thereunder shall qualify; if not, then their election is to be null and void. In case of death, removal or resignation from office of any judge, the vacancy shall be filled by appointment of the Governor by and with the advice and consent of the Senate, until the next Congressional election, at which time his successor shall be elected. In case any one of the Circuit Judges shall be, from sickness or any other cause, unable to attend any session of court, it shall be competent for the other two judges to appoint, in his place, a qualified member of the bar, who shall be sworn to sit as judge of said court during such absence only, who shall receive such compensation as the General Assembly may fix, or the Courts of Appeal may arrange for an interchange of judges from one circuit to the other when a member of the court is unable to attend from sickness or other cause. Until otherwise provided by the General Assembly, the Court of Appeals of the First Circuit shall hold sessions of court at Baton Rouge, Amite City, New Iberia, Franklin, Opelousas, Crowley, Lake Charles and Thibodeaux and such other places as may be designated by said Court of Appeals, and the Court of Appeals for the Second Circuit shall hold sessions of court at Monroe, Shreveport, Alexandria, Natchitoches, Vidalia, Tallulah, and Ruston, and such other places as may be designated by said Court of Appeals. The sessions of said Court of Appeals shall continue in each circuit for a period of ten months, beginning on the first Monday of September of each year and ending on the last day of June of the following year; and said courts shall convene at the several places named as the public business may require and shall keep their courts in session at such places until the cases before them are heard and finally determined. Until otherwise provided by law, the time and place for the return of appeals shall be fixed by said court. No decision shall be rendered by