ST. LANDRY DEMOCRAT.

M. D. KAVANAGH, Editor.

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M. D. KAVANAGH,
Editor.

St. Landry Democrat.

VOLUME 1. OPELOUSAS, LA., SATURDAY, APRIL 13, 1878. NUMBER 13.

OPELOUSAS, SATURDAY, APRIL 13, 1878.

We would call special attention to the notice of the Town Council calling for blds for town printing.

Want of space prevents our publishing the annual report of the town Treasurer this week.

We have been requested by the chairman of the visiting committee of the public schools, R. S. Wilkins, Esq., to state that the public school for colored children, kept by Mrs. D'avy, in Washington, does not receive any support from the public school fund, but is carried on as a private enterprise without remuneration. Such disinterestedness, being very uncommon in this practical age, was calculated to mislead the public as well as the local of the DEMOCRAT. We therefore gladly publish the explanation.

The Natchitoches Vindicator and New Orleans Democrat have both been unusually severe in their animadversions upon the Supreme Court, for their decision in the Anderson case. The editors of these respectable and influential journals are certainly unacquainted with the personal histories of the present Judges of the Supreme Court of Louisiana. In our opinion they are men of unspotted integrity, of unblemished reputations, who under no circumstances would have become parties to any agreement, which would have brought the judiciary of the State into disrepute even if such agreement had been necessary to save the government. Whenever any paper, it matters not how respectable it may be where or by whom published, charges that such a man as judge DeBlanc, (and we believe his associates on the Supreme bench are his peers in every respect) has been guilty of making any bargain or performing any act tinged with dishonor, it asserts what not one man, woman or child in Southwestern Louisiana, where his name is the very synonyme for everything that is high toned chevalrous and honorable would believe.

Attention Democrats.

The New York Tribune once offered this judicious advice:

There are no Republican voters to spare. Whoever clamors at Republican newspapers for not cracking the whip over this or that person, and driving him and his supporters either out of the party or into the traces, does not quite understatnd the needs of the time. There never was greater occasion to study those things that make for peace. The fomenting of quarrels and building up of factions will soon convert yesterday's losses into rout.

We reproduce the above article for the purpose of giving the same advice to the Democrats of the State and particularly to those of St. Landry parish. Since reconstrnction there has been no time when it has been equally necessary for all members of the Democratic party to stand shoulder to shoulder as at present. "There never was greater occasion to study those things that make for peace." The fomenting of quarrels and building up of factions will soon convert the victory of 1876 into an absolute defeat, and should such calamity overtake us at present, (owing to any division in our own party,) we fear it would result in a permanent occupation of our present position by the enemy.

While we are in favor of the most strict party decipline, we trust every Democrat in the State, but more especially every one in St. Landry will recognize the absolute necessity of unity, and of a complete and thorough disbandment of all factions which have divided us in the past.

We believe the masses of both factions of the party in this parish have been honest in their past differences, but wisdom should be learned by experience. We should not forget that in 1876 with 2000 majority for the State ticket, the Republicans elected three members of the Legislature and a portion of their parish ticket. Such a result must never occur again. Let the past bury its dead and let every Democrat endeavor to forget the late Varieties Courthouse war and in the coming canvass, let each member of what we trust are dead factions, vie with each other in their endeavors to heal all past differences, so that in November next the parish of St. Landry may present a solid front to the enemy under whatever name he may be mustered and our parish may again be recognized as the banner parish of the State.

TWO SMART YOUNG MEN.—About a week ago there were two smart young men got on a Burlington and Cedar Rapids train and laid themselves out to amuse and instruct the passengers. Very many funny things said and very many funny things did these two brilliant young men, and it did seem as though Providence had been just too kind to the other passengers to let them ride on the train with such smart young men. But presently there loomed up for them a colossal opportunity, when a lady, attended by a little girl and a little dog, came into the car. The two young men vied with each other in saying funny things about the pup. Presently the funniest young man said, in tones of perplexity, "Well, let me see, they make dogs pay on this train, don't they?" And then the lady turned around, and said in just the driest tones you ever heard a lady say anything, "Then you'd better get off before the conductor comes in." There was a great deal of talking and a great deal of laughter in the car between the place where that accident occurred and Burlington, but the men who were killed at the siege of Jerusalem were noisy, roaring, howling bacchanalians a week ago, in comparison with those two young men for the rest of the trip.—[Burlington Hawkeye.

The Anderson Case.

THE SUPREME COURT REFUSES THE DEMAND FOR A REHEARING.

WEIGHTY OPINIONS AND REASONS WHY THE RETURNING BOARDER SHOULD BE SET FREE.

[From the New Orleans Democrat.]

Some time after the opening of the Supreme Court yesterday morning, Judge Manning read the following decision, refusing the rehearing asked for by Attorney General Ogden:

State vs. Thomas C. Anderson—On application for rehearing. Opinion by Manning, C. J., all of the justices concurring.

The importance of the legal principles involved in this case, and the grave and far-reaching consequences of an application of them to the prosecution of the defendant, have induced us to reconsider the grounds upon which our decision is based with the same circumspection with which we examined them on the hearing. We have given careful attention to the argument of the Attorney General for a rehearing, weighing each branch of it in its turn, and consulting each authority cited. In fulfillment of our manifest duty, of which he reminds us, to permit no considerations whatever to intervene between us and the proper discharge of our judicial function, we shall proceed to review the reasons offered us to effect a change of our judgment.

It must be observed on the threshold of this inquiry that a considerable part of the printed argument for rehearing is directed to the refutation of a dictum not made by us. Whether the instrument charged to have been uttered as forged is or is not a public record, susceptible of forgery, or whether, not being a public record without the clerk's certificate, it will be one with it are questions we not only did not decide, but expressly and in unequivocal language announced that it was unnecessary in this case for us to decide. So, too, of those portions of the brief which treat of the crime charged as being forgery (as, for example, this, "the paper charged to have been altered or falsified is a paper which the supervisor," etc.,) it ought to be superfluous to say that the defendant was not charged with forging any record, public or private, nor for forging any paper of any kind whatever. That is not the crime for the perpetration of which he was tried, nor of which he was convicted.

A supplemental brief for rehearing has also been presented by the Attorney General, in which he suggests short notice for the setting of the cause as one of the reasons why he urges a rehearing, and says his reference to the action of the court in setting the cases was made in no spirit of complaint of that action, and that he is informed by the Assistant Attorney General that the day assigned for the argument may have been fixed by the court with deference to his suggestion made on the day the cause was first called. Such was the fact. The cause was a second time set for argument, and was heard a day later than that on which the Assistant Attorney General was willing to take it up, and two weeks lacking one day after it was first called.

On the day for which it was first set it went over at the written request of the Attorney General, and it was then that his assistant announced in open court that he had proposed to the counsel of the accused to take up the case on the following Monday. We ordered it set for Tuesday, to be sure of giving to the State all the time that was needed or desired. The clerk was instructed to give written notice thereof to both of the State's counsel, and it was done. No further time was asked on the part of the State, and no intimation given to us that further time was desired. On the contrary, we were given to understand that the Attorney General desired no further postponement. On the hearing we had the assistance of oral arguments from the Attorney General and from his assistant, the time being extended by the court beyond that allowed by the rules, and we also had the benefit of their elaborate printed brief placed before us at the same time. The first position taken by the Attorney General is, that what is a record is matter of fact for the jury exclusively to find, and not matter of law for the court to decide.

A public record is a written instrument, made by a public officer as directed by law, to serve as a memorial and evidence of something written, said or done. Of necessity the forms and verifications of these public instruments are prescribed by law. Evidence may be received to show that a paper bearing the form and appearance of a public record was or was not in fact what it purports to be, or to show its custody in a public office, or the like; but whether a given document possesses the form and character of a public record is to be determined by its conformity to the statute directing its confection, if it be a statutory instrument, or to the general law, if it be an ordinary legal instrument and is from its nature a question of law. The proposition that when the general law or a special statute has prescribed the form and manner of making a public instrument, and has directed how it shall be verified, the question of its conformity to the general or special statute is one of fact to be decided by a jury, is destructive of the distinction immemorially recognized between matters of law and fact, and subversive of fundamental principles. Under the operation of such a principle a court would be without power or authority to decide whether the form and substance of an indictment or information (for these are public records) were sufficient under the law. It would have been extraordinary if so high an authority as Chief Justice Parker had sanctioned such doctrine, and he is the only jurist cited to support it in the printed brief, and if his language had been given in full, as we shall give, the identical case cited is shown to be in accord with the well established rule. It is Brier vs. Woodbury, 1 Pick 362 and is cited with the observation that it is conclusive of the question, whether an instrument is or is not a public record is a question of fact. The sentence quoted is: "A record is conclusive evidence, but what is or is not a record is matter of evidence, and may be proved like other facts; otherwise there would be no remedy."

The words immediately following and not quoted are: "On the plea of nuntiel record, the fact is to be judged of by the court," etc., p. 367.

It has been held time and again that the uttering and publishing a forged instrument, purporting to be a check, will, deed, bond or certificate, is not indictable unless the forged instrument, on its face, is clothed with the forms prescribed by law, and it has nowhere been held that the question whether the forged instrument has or has not the form and requisites of a check, will, deed, bond or certificate, is one of fact, and not of law.

Thus, a party was indicted for forging a bank check. The check, on its face was not payable to bearer, or to the order of any person named. Held that the check was incomplete and could not defraud anyone, and that, therefore, the prosecution must fail. Winslow vs. State, 31 Ga. 535. In an indictment for forging a will, it appearing that the forged instrument had not the number of witnesses required for a valid will, a conviction cannot be sustained. 2 Bishop Criminal Law, section 508.

If a deed be void on its face, forgery of it is not indictable, nor the uttering it as forged. 14 Text. 593. If a bond is not required by law to have an attesting witness, and the name of one is falsely subscribed thereto, it is not forgery, because the presence or absence of a witness signature does not affect the validity of the bond. State vs. Guerkin, 7 Ired. 206. An indictment for forging a certificate of the acknowledgement by one L. of a certain mortgage, when the certificate was by one K., commissioner of deeds, and it had no venue and there was nothing on its face to show of what county K. was a commissioner, was held to be bad. Vincent vs. People, 5 Parker 88. An indictment for forgery of an order for $48 is not sustained by an order offered in evidence of $49. State vs. Handy, 2 App. 81. The special object and purpose of the sale requiring the tenor or purport of a forged instrument to be set out in the indictment, is that the court may judge of its character and apply the law to it. Walton vs. State, 3 Yerg. 371.

In an indictment for forging a railroad ticket, expressed on its face to be "good for this day only," a description of the ticket, as signifying to the holder that it must be used continuously and without stopping at intermediate stations after once entering the cars is a fatal variance, Com. vs. Ray, 3 Gray (Mass.) 441. It is then manifest that the question whether a forged paper possesses the legal requisites of any of the instruments is one of law and not of fact. Authorities of the same tenor might be multiplied until the mere reading of the citations would be tedious. It will be sufficient to refer to collations of them in Archibold's Criminal Practice and T. C. Waterman's Notes, 534-563; Haine's U. S. Dig. Crim. Cas. 192, et seq.; Wharton's Crim. Law, sec. 301, 607.

We must not omit mention of the case to which the brief on the part of the State has especially referred us, in establishing the doctrine that forgery may be committed of any writings of every description—a general proposition neither affirmed nor denied by us, and one not at all affected by our ruling in this case, and not the point at issue in that.

The case is the People vs. Fitch, 1 Wend. 198, the syllabus of which we transcribe entire, that it may be seen how fully and unqualifiedly it supports the doctrine elaborately discussed and approved in our first opinion: "Where an order for the delivery of goods was accepted and paid, and returned to the drawer, and the date of it subsequently altered by him, such alteration held not to be forgery at common law, although manifestly done with a fraudulent intent. To constitute forgery in such case, the act must have a tendency to effectuate the intended fraud. An order satisfied by the delivery of the goods in the hands of the drawer, in legal acceptation is no instrument, and an alteration of its date is no false making. It is what it purports to be."

It is necessary to state anew what crime the prisoner is charged with. It is that of uttering and publishing as true a certain altered, forged and counterfeit public record, to-wit: the consolidated return of the parish of Vernon, made by the supervisor of registration. It will also be useful to re-state the election law *quoad* the two instruments or records provided for by it. One is the commissioner's return, viz: the returns of each poll in the parish made by the commissioners who held the election at that poll. The other is the consolidated returns made by the supervisor of registration of each parish from the commissioners' returns of all the polls in the parish, and, as consolidated, certified by the clerk of the district court to be correct. This last is therefore a document or record required by law to have a double verification, by two different officers, who are able and who are required to verify it from two different sources of information.

Now, in order to ascertain whether a certain paper possesses the form and requisites of this consolidated (statement or) return of the supervisor, we must first see what form the statute prescribes for it, and what requisites the statute says it must have, and the determination of the question whether the paper conforms to the statute, and has the form and requisites set forth in the statute, rests with the court and is purely one of law.

We held that the paper offered as the record which has been uttered as true, and which comes up to us part of one of the bills of exception, did not conform to the description in the statute of a consolidated statement of votes; that it had not the form and verification required by the statute, as a paper purporting to be a will, with only one witness, would not be a will; that the paper produced, not having the certificate of the clerk of the district court, was not the paper described and charged in the information, and was not what was known to the law, and described in it as the consolidated return or statement of votes; and, therefore, the paper offered was not receivable in evidence under and does not sustain the charge as laid in the information, just as a check, deed, bond or certificate, having the legal form of such instruments, would not sustain the charge of uttering and publishing as true a forged check, deed, bond or certificate.

It is not the commissioners' returns which are to be signed by them alone, and to be certified by one, that the prisoner was tried for uttering as true. That was the instrument which he was charged with uttering as forged, in the information as first drawn, but the State amended by striking out the description of the instrument and inserting in its stead the consolidated statement of the supervisor, which is required to be made by that officer, and to be certified by the clerk of the court. The amendment of the information in the present case is of itself an example of an attempt to conform to the rule we have been elucidating and enforcing. When the document, thus made the basis of prosecution, was offered in evidence it turned out that it had not the clerk's certificate, and thus lacked one of the insignia required by the State, and it does not matter whether the document as thus offered was or was not a public record.

It is enough and it is conclusive, if the instrument offered is not the statutory instrument charged. And hence we said before, it is not necessary to decide whether the instrument charged is or is not a public record susceptible of forgery. The instrument offered to support the charge is not the instrument described in the statute. The statute describes a paper which shall have the supervisor's signature and the district court clerk's certificate. The paper offered in evidence has the former and has not the latter. It is entirely beside our present inquiry whether the clerk's signature to the supervisor's return would have made it a public record, or whether it is not a public record without such certificate. Our opinion expressly presents the decision of that question in language designedly used. But we held that since the statute commands that these returns shall be certified by the clerk of the court, and the instrument offered had not that certificate, it was not the public record the defendant was charged with uttering as forged. And here applies with crushing force the doctrine universally maintained by all the writers on criminal law, that when a statute authorizes or creates an instrument not known to the common law, and prescribes its form and impresses upon it peculiar features, in order to decide a prosecution for uttering as forged such an instrument, the paper actually forged or uttered as forged must conform to the statutory description. And Bishop says this is true even when the false statutory one is so like the genuine as to be liable to deceive most persons.

It would be an injustice to infer that the Attorney General was unaware of this provision of the statute. In the brief before us it is said "the paper prepared by the supervisor of registration is a paper of a public nature, directed to be made by the Legislature, to be certified by officers of the State, and to be carefully sealed up with the other papers, and sent to the officers of the State who have duties to perform. This paper is evidence that the commissioners of election have transmitted to the supervisors returns as required by law. It is evidence that the officer (the clerk) within a short period has examined these returns, and ascertained the result to which he certifies." The clerk had never certified to the one on which this prosecution is based, and no one else is required to do it, and so, further on it is argued, "that the clerk's certificate, although directed by the law to be appended, is not of the substance of this document, but mere formal matter—a part of the election machinery of the State, and its omission, while rendering the clerk culpable, does not destroy the validity of the record." It is not our concern to reconcile the admission that the paper is evidence that the clerk, within a short period, has examined the returns, with the assertion that his certificate to the correctness, and to his ascertainment of the result, is a mere formal matter—or, in other words, that it means nothing. But some of the requirements of election statutes are merely directory, and being so, the question is asked how can it be held that the absence of this formality (the clerk's certificate) so far changes the substance of this document as to make it inadmissible in evidence under the information. There is no question of a change of substance of a document because of the absence of a formality, if, indeed, such a thing be public, nor is there any question of the effect produced upon the result of an election by the failure to observe certain directions, as to which the universal rule of construction is, that election statutes are to be construed liberally and to favor the right ascertainment of the vote cast, while criminal statutes are, by a rule equally universal, to be construed strictly in favor of the party accused. The actual and vital question here is, having prosecuted the prisoner for altering as forged a particular statutory instrument, has the State shown that he did utter as forged that instrument? The State has not shown it. It may have shown that the prisoner altered as forged another and a different instrument, but the decisions of all courts come down to us in an unbroken line of authority, that a conviction cannot be sustained under such charge, supported only by such proof. It is also argued: "It is not sufficient to say that the supervisor's return was not the paper that the members of the Returning Board were to principally consider, or that it was not the best evidence. The paper was used, and the paper was fraudulently altered and falsified, that it might impose upon the public. The paper was sucessfully used. If this was used in connection with other papers to produce a fraudulent result in their count, and they returned upon its evidence and forged it for that purpose, it makes a case of forgery." The prisoner was not prosecuted for that crime. He was not charged with forging that paper, or any paper for any purpose. One man may forge a paper and another may utter it as forged. The crimes are distinct, the acts are distinct. So far from supposing it was sufficient to say that the supervisors return was the paper that the returning officers were principally to consider, or that it was the best evidence, we said, as the statute says, it was not to be considered at all, and that it was not made by the statute any evidence whatever of the actual vote cast. It was not the paper nor one of the papers which the returning officers were to canvass in making their compilation of the vote. Upon that the directions of the statute are explicit. Whether in the absence or loss of the commissioners' returns it would not be receivable in an election contest as secondary evidence of the vote cast, or even as good as the best evidence, is a matter of inquiry not relevant to the criminal proceedings. And it must be evident that we cannot know as a court, and in a case where we have jurisdiction only of the legal questions that the defendant and his co-members of the Returning Board did in fact make up their compilation from the supervisor's return, and successfully used them to produce a fraudulent result. That is a matter of fact wholly outside of the record, and if it had been in the record could not be taken into account by us in deciding a naked question of law. "I cannot understand the argument," continued the Attorney General, "that pronounces a nullity an official paper which the statute directs shall be made and placed in the hands of public officers, and being of no value or efficacy, may be altered, forged and falsified with impunity." Nor can we. But an acquaintance with the rules governing criminal prosecutions will enable one readily to understand that when a person is charged with uttering as forged a particular instrument, he cannot be convicted and punished for forging another and different instrument. So, further on, apparently forgetting what the charge is in this case, and misreading the records of the statute, he argues elaborately to prove what no one will even dispute, viz: that whoever may be guilty of forging a public record shall be punishable, and professing to cite the law, says: "The statute is that any person who shall utter and publish as true any false, altered, forged or counterfeited record with intent to defraud any person shall, upon conviction," etc. Now, that is not the statute. The fact is the word *utter* is not in the statute, but *alter* is the word used, and one of the numerous grounds of the motion in arrest of judgment is based upon the variance between the crime defined by the statute and the crime charged in the information. There is a well recognized distinction at common law between the offense of uttering a forged instrument and the offense of altering and publishing such instrument. The first offense is complete when the party has offered the instrument as good, intending it should be received as good. The last is not complete until the paper has come into the hands of some person other than the fellon. The common law crime has been supplemented by statutes in every country creating statutory offenses of this character. In England the words used in the statute to express the passing or putting off a forged instrument to another as a genuine instrument, or an attempt to do so, are, "offer, utter, dispose of, or put off," which embrace every mode of disposing or attempting to dispose of a forged instrument. Waterman's Archibold Criminal Practice and Pleadings, 547, 26. The words of our statute are, "alter or publish as true," and are not a misprint, for they occur first in the act of 1818, and are repeated in the Revised Statutes of 1856 and 1870. It was hence contended by the defendant's counsel that the Legislature had not made the act charged to have been done by him a crime—the charge being, "attering and publishing as true"—and that the crime as laid in the information, and for which he was tried, is not the crimes created by the statute. The statute used the word *alter*. The information has *utter*. The statute uses the disjunctive, alter or publish, thus making two crimes. The information has the copulative utter and publish, thus describing one offense. The prosecution is based on section 833 Revised Statutes, and the word *utter* is not used in it, while it is employed in the next section, in relation to the intent in raising paper securities, and is used in section 835 for creating another and distinct offense, thus—"whoever shall utter or tender in payment," etc. The two words would appear to have been employed intentionally and it was urged, both in the oral and printed argument, that the words "utter and publish," used in the information as descriptive of the crime, do not charge the crime either of uttering or publishing defined by the statute. In other words, the statute made it a crime to alter the record, and the defendant was not charged with that. The statute also made it a crime to publish as true an altered record and the defendant was not charged with that, but with uttering and publishing, etc. The act of uttering is separate and distinct from either of the others, and unless the phrase "utter and publish" means legally the same as the single word "publish," and designates the same act, the offense charged in the information has no existence. If the draughtsman of the information had the statute before him, he most have intended the word utter, used by him conjunctively with publish, as expressing only what the latter word expresses by itself; but legally, that is not true, as the law writers all teach. We did not give this objection of the defendant's counsel a place in our former opinion, because among the twenty-seven bills of exception, and the assignment of errors additional thereto, the two on which we rested our decision were conclusive of the invalidity of the proceedings.

That the crime should have been charged to have been committed by the defendant under color of his office is to our minds a necessity. No one but the returning officers had any power, mission or authority to compile canvass or publish the returns of elections. The compilation by any other persons, and its publication, could produce no legal consequence. All persons are presumed to know that the publication of the result of an election by any others than the Returning Board was null and void legally, and hence it was legally impossible that such publication should deceive, injure or defraud any one, and since the criminal act must not only be done with intent to defraud, but must be legally capable of effecting the fraud, it must be charged to have been done by virtue of and in the capacity of the returning officer. We are asked in the brief if four presidents of banks had appropriated large sums of money to induce the returning officers to make necessary alterations in the figures, and after the alterations had been made and the result changed, they had caused them to be published, would not they be punishable? Unquestionably, if we understand it to be assumed that the publication is made in the name and under the authority of the returning officers, because there is another statute that applies to those who procure to be falsely made etc. But that is within the Attorney General's imaginary case and not ours. We supposed a case where it is not alleged or charged, and therefore not to be pretended that the published document bore the certificate of the returning officers, but only that of four bank presidents. It is undeniable that such publication would not be criminal under our statute for the reasons we then gave. We stated that case to show that it was of the essence of the offense of uttering and publishing false election returns under the statute that the publishing should be made by persons having authority and capacity under the law to make it, and therefore it was essential that the information should contain an averment of that authority and capacity, and was fatally defective without it. Its omission could not be supplied by the court. It is a matter of history that the act of the defendant which actually constituted his crime was done in his official capacity as a member of the Returning Board. Why was it that the canvassing and publishing of the vote to be made by him and his co-returning officers became the object of public anxiety, and when made became the subject of public condemnation? If four private persons had done what they did, and then published as election returns whatever might have been in conformity to their wishes, would not the act have been treated with derision, and could it have produced any effect legally or otherwise? Is it not appa-

[Continued on Fourth Page.]

Proceedings of the Police Jury.

OPELOUSAS, April 8th, 1878.

The Police Jury met pursuant to adjournment. Present: R. H. Littell, President; A. Guidry, S. Haas and B. E. Clark.

There being no quorum present the Police Jury adjourned until to-morrow at 10 o'clock A. M.

TUESDAY, April 9th, 1878.

The Police Jury met pursuant to adjournment. Present: R. H. Littell, President; B. E. Clark, F. Savoy D. P. Saizan, S. Haas, E. Dubuisson and A. Guidry.

The minutes of the last meeting were read and approved.

On motion of Mr. Dubuisson, Resolved, that in accordance with act No. 92 of the Legislature, approved March 14th, 1878, the tax collector be and is hereby directed to extend on the parish tax roll the sum of six mills on the dollar on all taxable property in the incorporated towns in this parish, said tax when collected, to be paid in the Parish Treasury, and apportioned to the criminal expenses for the parish.

On motion of Mr. Haas, Resolved, that the sum of twenty-five dollars be and is hereby appropriated, payable out of any money in the treasury, not otherwise appropriated, to the President to re-imburse him for that amount paid by him for legal advice.

The petition of numerous citizens of the Atchafalaya was read, asking for the following change in the public road, to wit: To leave the river road at the lane between A. A. Richard and J. N. Oden, running south to the land of Mr. A. Scott; thence west on the line between Mr. Scott and the unsold lot of the estate of Mrs. M. M. Gordon; the line between Mr. Scott and land owned by Mrs. M. A. Ford and J. West until it strikes Bayou Current, thence to keep the same road to Faulkners Ferry, as it now stands.

On motion of Mr. Dubuisson, Resolved, that the above petition be granted, and that the changes be made in accordance with section 9 of the road ordinance.

On motion of Mr. Savoy, Resolved, that Mithridate Billeaudeau be and is hereby authorized to change the public road running through his land, so as to run on the division line between him and Alcide P. Fontenot, in accordance with section 9 of the road ordinance.

On motion of Mr. Saizan, Resolved, that A. A. Quebedeau be and is hereby authorized to change the public road running through his land, to the line between his and Richard and Quebedeau land, in accordance with section 9 of the road ordinance.

A committee of the School Board of the parish of St. Landry waited upon the Police Jury, and requested them to levy a tax of two mills for school purposes, when on motion of Mr. Haas it was unanimously resolved that the Police Jury refuse to levy any tax exceeding the fourteen and a half mills now levied, unless upon the written application of a majority in value of the taxpayers of the parish.

To the Hon. the President and Police Jurors of the parish of St. Landry:

Gentlemen:—Your petitioners would respectfully represent that the public road leading from Washington to Grand Prairie, has been closed without authority from your Honorable body, and that said road has been neglected by the road overseer. Your petitioners would respectfully ask that said obstructions be removed and that the road be put in order for the use of the public, and we will ever pray &c.

Signed by 32 Citizens.

On motion of Mr. Dubuisson, Resolved, that the petition be granted, and that the Road Overseer be and is hereby instructed to work said road.

The Police Jury resolved themselves into a committee of the whole and proceeded to examine the vouchers in the hands of the Parish Treasurer, for the monies paid by him since the cancellation on the 10th of December, 1877 whereupon Mr. Savoy reported that they had counted the vouchers presented by the Treasurer, amounting to fourteen thousand three hundred and eighty-two 23|100 dollars, which amount corresponded with the entries on his books, and he moved that the vouchers be cancelled, and that the Treasurer have a credit for that amount on his books, carried.

YEARLY STATEMENT.

W. A. ROBERTSON, TREASURER, IN ACCOUNT WITH PARISH OF ST. LANDRY.

RECEIPTS:

From amount of parish taxes received from collector from 7th May, 1877 to date	$36,249 80	
From amount of parish taxes delinquent received from the collector from 7th of May, 1877 to date	2960 11	
		39,209 91
From amount of parish licenses from collector from 7th May, 1877 to date	2562 70	
From amount received from other sources from 7th May 1877 to date	221 70	
Total gross receipts		$41,994 11
Less collectors commission retained by him as statement rendered viz in taxes	1,626 15	
in licenses	256 25	
		$1,882 40
		$40,111 71
April 2 1878—To balance cash on hand brought to new account	$165 07	

EXPENDITURES:

By amount of parish warrants paid by the treasurer and which have been examined counted and cancelled by the police jury	$39,946 64
April 2—Balance cash on hand	165 07
	$40,111 71

I certify that the above is a true and correct statement from the books of the parish.

W. A. ROBERTSON,
Parish Treasurer.

Opelousas La., 2d April, 1878.

The Treasurer having taken the oath required by section 2645 of the Revised Statutes of 1870, on motion of Mr. Dubuisson, Resolved that whereas the Treasurer of the parish of St. Landry has this day presented his annual statement of monies received and disbursed by him to April 2d, 1878, said statement showing receipts of forty thousand one hundred and eleven 71|100 dollars, and disbursements of thirty-nine thousand nine hundred and forty-six 64|100 dollars, with balance unexpended of one hundred and sixty-five 07|100 dollars, and whereas said statement after a thorough and careful examination of his books and vouchers has been found correct in every particular, therefore be it resolved that said statement be received, and that the Treasurer be authorized and directed to turn over to the Clerk of the Police Jury the cancelled warrants now in his hands, amounting to thirty-nine thousand nine hundred and forty-six 64|100 dollars.

On motion the Police Jury adjourned until to-morrow at 10 o'clock A. M.

WEDNESDAY, April 10th, 1878.

The Police Jury met pursuant to adjournment. Present: R. H. Littell, President; A. Guidry, E. Dubuisson, S. Haas, F. Savoy and B. E. Clark.

On motion of Mr. Haas, Resolved, that in accordance with act No. 30 of the extra session of the Legislature of 1877, that in lieu of fees and mileage, the Justices of the Peace and Constables be paid a fixed salary for criminal business.

Voting aye: Messrs. Haas, Savoy, Clark and Guidry.

Voting nay: Mr. Dubuisson.

On motion of Mr. Clark, Resolved, that the salaries of the Justices of the Peace and Constables be fixed by wards, and that they be allowed the following amounts as an annual salary, the same to be paid quarterly:

1st Ward,	E. P. Veazie		$500 00
1st	"	E. S. Taylor	500 00
2d	"	L. Darby	100 00
3d	"	A. L. Durio	60 00
4th	"	W. F. Jackson	30 00
5th	"	Wm. Curley	125 00
"	"	L. J. Kerr	75 00
"	"	D. Quick	40 00
"	"	H. Durio	35 00
6th	"	J. J. Hicks	50 00
"	"	J. Bacon	20 00
7th	"	J. D. Currie	40 00
8th	"	L. Pitre	40 00
9th	"	S. Cart	25 00
"	"	W. F. Stakes	25 00

On motion of Mr. Haas, Resolved, that the salaries of the Constables in the several wards be fixed at the same amount as the Justices of the Peace.

On motion of Mr. Savoy, Resolved, that the above salaries shall take effect from the 15th day of April, 1878.

On motion of Mr. Dubuisson, Resolved, that the sum of one hundred and fifty dollars or so much thereof as may be necessary be and is hereby appropriated out of any money in the treasury, not otherwise appropriated, to purchase a fire proof safe for the treasurer's office.

The following persons were appointed commissioners for the sale of unbranded stock:

1st Ward, L. E. Littell, E. P. Dejean, Charles Hollier, G. Peck and Godfrey Dupre.

2d Ward, Aleck Miller, J. Frozard and P. D. Richard.

3d Ward, N. C. Devilliers and Andre Mellet.

4th Ward, Jules Godeau, T. A. Dunbar and W. C. Gordon.

5th Ward, Robt. Tate, Alfred Stagg, Louis Fontenot, J. S. Haw, J. L. Fontenot, Jr.

6th Ward, J. P. Landrum, Eli Clark, Wm. Randall, Elmus Campbell, H. Savant, Dr. J. E. Hawkins, D. Elliott, D. Bass, Wm. Teal and P. L. Fontenot.

7th Ward, Adrien Fontenot, J. B. Tate and Jossier H. Fontenot.

8th Ward, Wm. Clavie, H. Andrepont, Homer Daigle, Philogene Richard, Onezipe Ledoux, M. Prud'homme and Cæsar Fruge.

9th Ward, R. B. Sloane, J. D. Bernard, David Roy, Wm. McFarlane and Fred. Arceneaux.

The following changes and appointments was made in Road Overseers:

Francis Guillory vice H. Deshotels.

J. D. Andrus vice H. Young.

Isaac Hayes vice R. B. Sloane.

H. Humble vice O. A. Boullion.

Alphonse Reed vice Oncoudre Dupre.

Louis Knox from Opelousas and Washington road to Bayou Maria Croquant.

Mr. Haas submitted the following ordinance, which after being read was unanimously adopted.

An ordinance prohibiting the sale, barter or exchange of any intoxicating liquors or merchandise on Sunday, within the limits of the parish of St. Landry:

SECTION 1. Be it ordained by the Police Jury of the parish of St. Landry, that in accordance with the powers conferred by act No. 84, regular session of the Legislature of Louisiana, session of 1878, approved March 13th, 1878, all persons within the limits of the parish of St. Landry, including those within all incorporated towns and villages, within the limits of the parish, with the following exceptions, are prohibited from selling, giving, bartering or exchanging any intoxicating liquors or merchandise of any description on Sunday.

SEC. 2 Be it further ordained, &c., that the following and none other are exempted from the provisions of this ordinance, viz: Merchants in the sale only of such articles as are necessary for the burial of the dead and in the sale of medicines, where their place of business is situated more than eight miles from any licensed drug store. 2d. Keepers of drug stores in so far as to permit them to fill prescriptions of licensed physicians and to sell drugs and medicines only on said day. 3d. Keepers of bakeries for the sole purpose of making and selling bread. 4th. Keepers of public markets, for the sale of fresh meats, fish, vegetables and fruits or sellers of fish, vegetables, fruits and milk.

SEC. 3. Be it further ordained, &c., that any person violating this ordinance shall be guilty of a misdemeanor and shall be punished by a fine not exceeding two hundred dollars and not less than fifty dollars or imprisonment in the parish jail not less than 30 days nor more than 60 days or both said fine and imprisonment at the discretion of the court. One-half of said fine to be paid to the informer and the other half to be paid into the treasury of the parish, said punishment and fine to be enforced by indictment or information before any court of competent jurisdiction.

SEC. 4 Be it further enacted that this ordinance shall go into effect on and after its promulgation, and all ordinances on the same subject matter are hereby repealed.

On motion the Police Jury adjourned until Monday, May 6th, 1878.

R. H. LITTELL, President.
Attest: C. MAYO, Clerk.

Proceedings of the Board of Police of the Town of Opelousas.

MONDAY, April 8th, 1878.

The Board of Police of the town of Opelousas, met pursuant to a call of the President. Present: Messrs. James Ray President, Messrs. C. Mayo, W. G. Bell, C. N. Ealer, Emile Donato, and P. J. Lefebvre.

The minutes of the last meetings were read and approved.

The committee appointed to examine the books and accounts of the Treasurer and Collector submitted the following report:

OPELOUSAS, April 8th, 1878.

We the undersigned committee appointed to examine the books and vouchers of the Treasurer and Collector, would respectfully report, that we have carefully examined the same and find them correct, and have cancelled the vouchers that were in the hands of the Treasurer.

The following statement of the Treasurer we find to be correct, and recommend its publication with the minutes of the Board.

Respectfully submitted,
C. MAYO,
EMILE DONATO,
W. G. BELL.

On motion the report of the Committee was approved and ordered to be spread upon the minutes and that the bonds of the Treasurer and Collector be cancelled.

The same Committee also reported favorably upon the following claims viz:

C. C. Duson jail fees	$19 00
C. M. Thompson stationary &c	1 90
Adolph Stagg registration of voters of the corporation	25 00
C. Mayo drugs	4 75
C. M. Thompson removing dead animals and burying pauper	10 00
J. W. Jackson advertising names of delinquent tax payers	15 00
E. S. Taylor justice of peace fees	5 30

On motion the board adjourned sine die.

JAMES RAY, President
Attest: O. VOORHIES, Clerk.

Proceedings of the Board of Police of the Town of Opelousas.

MONDAY, April 8th, 1878.

This being the day appointed for a meeting of the Board of Police of the Town of Opelousas, the following members of said Board, elected on the 1st instant, as per certificate of Election and oath of office recorded and on file in the office of the Clerk of the District Court of the Parish of St Landry, were present, to-wit: Dr. James Ray, Victor Lastrapes, Chas. N. Ealer, P. J. Lefebvre, C. Mayo, Emile Donato, and Wm. G. Bell.

Dr. James Ray presiding.

On motion Dr. James Ray was elected by acclamation as President of the Board of Police of the Town of Opelousas.

On motion of Mr. Ealer, Resolved, that the salaries of officers for this term, be and they are hereby fixed the same as the last term.

There being no applicants for any of the offices under this Board.

On motion, all the officers of the old Board were re-elected by acclamation to their same offices.

On motion Resolved, that the bonds of the Treasurer and Collector be fixed the same as in 1876

On motion Dr. James Ray, Emile Donato, and Wm. G. Bell were appointed Street Commissioners.

On motion the Board adjourned to meet on Friday the 19th inst.

JAMES RAY, President.
Attest: O. VOORHIES, Clerk.

List Letters

Remaining in the Post Office at Opelousas, La., April 1st, 1878, and if not taken out before May 1st, 1878, will be sent to the Dead Letter Office at Washington D. C.

Antoine John Bite	Lasprict Manuel 2
Batailie Monsieur	Lilon Louis
Bostick Mary miss	Louisnme Clementine J
Bryant mrs Nicholas	Manso mrs Leon