

...courts without the concurrence of two judges, but any two of the judges of each circuit shall constitute a quorum for the transaction of business.

Section 4. Be it further resolved, etc., That Article 105 of the Constitution of the State of Louisiana be amended so as to read as follows:

Article 105. The sheriff of the parish shall attend in person, or by deputy, to execute the orders of said court, and the clerk of the District Court of the parish in which the sessions of the Courts of Appeal are held, shall serve as clerk of the Court of Appeals and shall attend sessions of said court, either in person or by deputy, until otherwise provided by the General Assembly. The costs of appeal in any case appealed to the Courts of Appeal shall not exceed five dollars. The police juries of the various parishes of the State, in which the Courts of Appeal are held, shall provide suitable rooms for the holding of said courts so as not to interfere with the sessions of the district or other courts.

Section 6. Be it further resolved, etc., That the fourth paragraph of Article 105 of the Constitution of the State of Louisiana be so amended as to read as follows:

"Until otherwise provided by law, all appeals within its jurisdiction from the parishes of Orleans, St. James, St. John, St. Baptist, St. Charles, Jefferson, Plaquemine and St. Bernard shall be heard by said court, and the costs of filing same shall not exceed five dollars in each case.

Section 7. Be it further resolved, etc., That the foregoing amendments to the Constitution of the State shall become operative on the first day of January, 1904, and all cases pending and undetermined in the Courts of Appeal as now constituted shall be transferred to the Courts of Appeal as herein organized under such rules as may be provided by said courts.

Section 8. 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 the State of Louisiana and the general election laws of this State to be held in November, 1904.

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

P. M. LAMBREMONT,
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. 134.

By Mr. Lambremont.

Senate Bill No. 106.

JOINT RESOLUTION.

Proposing an amendment to Article ninety-seven (97) of the Constitution of the State of Louisiana, relative to the office of Attorney General of the State.

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 ninety-seven (97) of the Constitution of the State of Louisiana, be amended as to read as follows:

Article ninety-seven (97): There shall be an Attorney General for the State, who shall be elected by the qualified electors of the State at large every four years. He shall be learned in the law, and shall have actually resided and practiced law, as a licensed attorney, in the State, for five years preceding the election. He shall receive a salary of five thousand dollars per annum, payable monthly on his own warrant.

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, nineteen hundred and four, and that, if adopted, the same shall take effect on the first 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 ninety-seven (97) of the Constitution of Louisiana;" and the words, "Against the proposed amendment to Article ninety-seven (97) 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.

P. M. LAMBREMONT,
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. 137.

By Mr. Kernan.

House Bill No. 332.

AN ACT.

Joint resolution proposing amendments to Articles 86, 87, 88 and 95 of the Constitution of the State of Louisiana relative to the Judiciary Department, and providing for the election of Justices of the Supreme Court:

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 86 of the Constitution of the State of Louisiana be amended so as to read as follows:

Article 86. The Supreme Court shall be composed of one Chief Justice and

for Associate Justices, a majority of whom shall constitute a quorum. The Chief Justice and Associate Justices shall each receive a salary of not less than Five Thousand Dollars per annum, payable monthly on his own warrant. They shall each be elected for a term of twelve years. In case of death, resignation, or removal from office of any Justice, the vacancy shall be filled by the selection by the court of a Judge of one of the Courts of Appeal from a Supreme Court District other than that in which such vacancy shall occur, until the next ensuing Congressional election, when it shall be filled by election for a full term of twelve years. They shall be citizens of the United States and of this State, over thirty-five years of age, learned in the law, and shall have practiced law in this State for ten years preceding their election, or appointment.

Section 2. Be it further resolved, etc., That Article 87 of the Constitution of the State of Louisiana be amended so as to read as follows:

Article 87. The State shall be divided into four Supreme Court Districts, and the Supreme Courts shall always be composed of Justices elected from said Districts. The parishes of Orleans, St. John the Baptist, St. Charles, St. Bernard, Plaquemine and Jefferson shall compose the First District, from which two Justices shall be selected. The parishes of Caddo, Bossier, Webster, Bienville, Claiborne, Union, Lincoln, Jackson, Caldwell, Ouachita, Morehouse, Richland, Franklin, West Carroll, East Carroll, Madison, Tensas, Concordia and Catahoula, shall compose the Second District, from which one Justice shall be elected. The parishes of De Soto, Red River, Winn, Grant, Natchitoches, Sabine, Vernon, Calcasieu, Cameron, Rapides, Avoyelles, Pointe Coupee, West Baton Rouge, Iberville, St. Landry, Acadia, Lafayette and Vermilion shall compose the Third District, from which one Justice shall be elected. The parishes of St. Martin, Iberia, St. Mary, Terrebonne, Lafourche, Assumption, Ascension, St. James, East Baton Rouge, East Feliciana, West Feliciana, St. Helena, Livingston, Tangipahoa, St. Tammany and Washington shall compose the Fourth District, from which one Justice shall be elected. The Justices of the Supreme Court, as now constituted, shall serve until the expiration of their respective terms, and their successors shall be elected each for a term of twelve years at the Congressional election next preceding such expiration of term.

When the office of Chief Justice becomes vacant, either by death, resignation, removal from office or otherwise, the Associate Justice who has served the longest time shall, by virtue of said length of service, become Chief Justice.

Section 3. Be it further resolved, etc., That Article 88 of the Constitution of the State of Louisiana be amended so as to read as follows:

Article 88. The Supreme Court shall hold an annual session in the City of New Orleans, beginning not later than the first Monday in the month of November and ending not sooner than June 30th, in each year. It shall appoint its own clerks and remove them at pleasure. The General Assembly shall make the necessary appropriations to provide suitable and commodious buildings for said Court, and the records thereof, and for the care and maintenance of the State Library.

Section 4. Be it further resolved, etc., That Article 95 of the Constitution of the State of Louisiana be amended so as to read as follows:

Article 95. In all cases where there is an appeal from a judgment rendered on a reconventional, or other incidental, demand, the appeal shall lie to the Court having jurisdiction of the main demand.

Section 5. 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 the State of Louisiana, and the general election laws of this State, at the Congressional election to be held on the first Tuesday after the first Monday in November, 1904.

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

P. M. LAMBREMONT,
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. 138.

By Mr. Toomer.

House Bill No. 221.

JOINT RESOLUTION.

Proposing an amendment to Article 119 of the Constitution of Louisiana, to provide for the filling of all vacancies occurring in the office of Sheriff and ex-Officio Collector of State and Parish Taxes, by special election.

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 at the next Congressional election, to be held on the first Tuesday after the first Monday in November, 1904, the following amendment to Article 119, of the Constitution of Louisiana, shall be submitted to the electors of the State, and if a majority of the voters, at said election shall approve and ratify such amendment, the same shall become a part of the Constitution of this State, to-wit: That Article 119 of the Constitution of Louisiana shall be amended so as to read as follows: Article 119. There shall be a Sheriff and a Coroner elected by the qualified voters of each Parish in the State, except in the Parish of Orleans, who shall be elected at the general election and hold office for four years. The Coroner, except in the Parish of Orleans, shall act for and in place of the Sheriff, whenever the

Sheriff shall be a party interested, and whenever there shall be a vacancy in the office of Sheriff, until such vacancy shall be filled; but he shall not, during such vacancy, discharge the duties of tax collector. The Sheriff, except in the Parish of Orleans, shall be ex-officio Collector of State and Parish taxes.

He shall give separate bonds for the faithful performance of his duty in each capacity. Until otherwise provided, the bonds shall be given according to existing laws.

Sheriff's elected or appointed shall furnish bonds within thirty days from the date of their commissions, in default of which the office shall be declared vacant, and the Governor shall appoint for the remainder of the term.

"All vacancies occurring in the office of sheriff and ex-officio collector of State and parish taxes, by death, resignation or otherwise, where the unexpired portion of the term is one year or more, shall be filled by special election, to be called by the Governor and held within sixty days of the occurrence of such vacancy under the general election laws of this State. In all cases where the vacancy is less than one year, the Governor shall appoint for the remainder of the term.

Section 2. 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 119 of the Constitution of Louisiana, providing for the filling of vacancies in the office of sheriff by special election;" and each elector shall indicate, as provided in the general election laws of the State which of the provisions "for" or "against," he votes for.

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

P. M. LAMBREMONT,
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. 139.

By Mr. Bailey.

House Bill No. 151.

JOINT RESOLUTION.

Proposing an amendment to Article 124 of the Constitution of the State of Louisiana of 1898 relative to the filling of vacancies in the office of Clerks of the District Court.

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 the following amendment to Article 124 of the Constitution of the State of Louisiana be submitted to the electors of the State at the next Congressional election to be held on the first Tuesday after the first Monday in November, 1904, to-wit: That Article 124 of the Constitution of the State of Louisiana be so amended as to read as follows:

Article 124. Clerks of District Courts may appoint, with the approval of the District Judges, deputies with such powers as shall be prescribed by law; and the General Assembly shall have the power to provide for continuing one or more of them in office in the event of any vacancy in the office of Clerk, until his successor shall have been elected and qualified.

All elections to fill vacancies occasioned by death, resignation or removal shall be for the unexpired term, and the Governor shall fill the vacancy until an election can be held. Provided, that the election to fill said vacancy shall be held within sixty days from the date that the vacancy occurs, provided if such unexpired term is for a shorter period than one year, the appointee of the Governor, shall hold the office for said term.

Section 2. 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 124 of the Constitution of the State of Louisiana;" and the words, "Against the proposed amendment to Article 124 of the Constitution of the State of Louisiana;" 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.

P. M. LAMBREMONT,
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. 140.

By Mr. Bailey.

House Bill No. 155.

JOINT RESOLUTION.

Proposing an amendment to Article 125 of the Constitution of the State of Louisiana of 1898 relative to the filling of vacancies in the office of District Attorney.

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 the following amendment to Article 125 of the Constitution of the State of Louisiana be submitted to the electors of the State at the next Congressional election, to be held on the first Tuesday after the first Monday in November, 1904, to-wit:

That Article 125 of the Constitution of the State of Louisiana be so amended as to read as follows:

Article 125. There shall be a District Attorney for each Judicial District in the State, who shall be elected by the qualified electors of the Judicial Dis-

trict at the same time and for the same term as is provided in Article 109 for District Judges. He shall receive a salary of one thousand dollars per annum, payable monthly on his own warrant. He shall be an actual resident of the district and a licensed attorney in this State. He shall also receive fees; but no fee shall be allowed in criminal cases, except on conviction, which fees shall not exceed five dollars in cases of misdemeanor. All elections to fill vacancies occasioned by death, resignation or removal shall be for the unexpired term, and the Governor shall fill the vacancy until an election can be held. Provided, that the election to fill said vacancy shall be held within sixty days from the date the vacancy occurs. Provided if such unexpired term is for a shorter period than one year, the appointee of the Governor shall hold the office for said term.

Section 2. Be it further resolved, etc., That the official ballots to be used at the said Congressional election shall have printed thereon the words: "For the proposed amendment to Article 125 of the Constitution of the State of Louisiana," and the words, "Against the proposed amendment to Article 125 of the Constitution of the State of Louisiana," and each elector shall indicate, as provided in the general election laws of the State, whether he votes "for" or "against," the proposed amendments.

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

P. M. LAMBREMONT,
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. 141.

By Mr. Toomer.

House Bill No. 236.

JOINT RESOLUTION.

Proposing an amendment to Article 109 of the Constitution of Louisiana, relative to the filling of vacancies in the office of Judge of the District Court.

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 the following amendment to the Constitution of Louisiana shall be submitted to the electors of the State, at the Congressional election to be held on the first Tuesday after the first Monday in November, 1904, and if approved and ratified by a majority of said electors, voting in said election, the same to become a part of the Constitution, to-wit: That Article 109 of the Constitution of Louisiana be amended so 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 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 original jurisdiction in all criminal cases, except such 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 of all proceedings for appointment of receivers or liquidators to corporations or partnerships; and said courts 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 twenty-first judicial district, where, until otherwise provided by law, there shall be two district judges who 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, provided, one year's residence only in the district shall be required for the first election under this Constitution. They shall be learned in the law, and shall have practiced law in the State five years previous to their election.

The first district judges under this Constitution shall be elected at the general State election in 1904, and shall hold office until their successors are elected at the election on the Tuesday after the first Monday in November, 1904, at which time, and every four years thereafter, district judges shall be elected for terms of four years. Vacancies occasioned by death, resignation, or otherwise, where the unexpired portion of the term is less than one year, shall be filled for the remainder of the term by appointment by the governor, with the advice and consent of the Senate. In all cases where the unexpired portion of the term is one year or more, the vacancy shall be filled by special election, to be called by the Governor, and held within sixty days of the occurrence of the vacancy, under the general election laws of the State.

Section 2. Be it further resolved, etc., That upon the official ballots to be used at said Congressional election shall be printed the words "For the proposed amendment to Article 109 of the Constitution of Louisiana, providing for the filling of vacancies in the office of district judge, by special election," and the words "Against the proposed amendment to Article 109 of the Constitution of Louisiana providing for the filling of vacancies in the office of district judge, by special election," 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.

P. M. LAMBREMONT,
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. 186.

By Mr. Parker.

Senate Bill No. 188.

Joint resolution proposing an amendment to the Constitution of the State of Louisiana, amending Article 281, so as to authorize municipal councils to create one or more sewerage districts within their respective limits.

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 281 of the Constitution so as to read as follows:

Article 281. Municipal corporations, parishes, and drainage and sewerage districts, the City of New Orleans excepted, when authorized to do so by a vote of the majority in number and amount of the property tax payers, qualified as electors under the Constitution and laws of this State, voting at an election held for that purpose, after due notice of said election has been published for thirty days in the Official Journal of the municipality or parish, and where there is no official journal, in a newspaper published therein, may incur debts and issue negotiable bonds therefor to the extent of one-tenth of the assessed valuation of the property within the municipal corporation, parish drainage district or sewerage district, as shown by the last assessment made prior to the submission of the proposition to the property tax payers as above provided, and may be authorized by the property tax payers voting at said election, to levy and assess special taxes upon the property subject to taxation in the parish, drainage district, corporation or sewerage districts; provided said taxes so imposed do not exceed five mills on the dollar of the assessed valuation in any one year, nor run for a greater number of years than the number named in the proposition submitted to the tax payers. No bonds shall be issued for any other purpose than stated in the submission of the proposition to the tax payers and published for thirty days, as aforesaid, nor for a greater amount than herein mentioned; nor shall such bonds be issued for any other purpose than for paving and improving streets, roads and alleys, purchasing and constructing a system of waterworks, sewerage, lights, public parks and buildings, bridges and other works of public improvement, the title to which shall rest in the municipal, corporation, parish, drainage or sewerage district, as the case may be; nor shall such bonds run for a longer period than forty years from their date, or bear a greater rate of interest than five per cent., per annum, or be sold by the municipal corporation, parish, drainage or sewerage district issuing same for less than par.

The municipal corporation, parish drainage or sewerage district issuing such bonds shall provide for the payment of the interest annually or semi-annually, and the principal thereof at maturity; provided, that the total issue of bonds by any municipality, parish, drainage or sewerage district for all purposes shall never exceed 10 per cent. of the assessed value of the property in such municipality, parish, drainage or sewerage district; provided, that drainage districts availing themselves of the provisions of this ordinance shall be limited to the rate of taxation herein fixed; and such districts shall be prohibited from levying contributions under the provisions of existing laws; and provided further, that nothing herein contained shall prevent drainage districts from being established under the provisions of existing laws; and provided further, that municipal councils shall have authority to create within their respective limits one or more sewerage districts.

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 281 of the Constitution," and the words, "Against the proposed amendment to Article 281 of the Constitution," 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.

P. M. LAMBREMONT,
President pro tem. of the Senate.
Approved July 7, A. D. 1904.

NEWTON C. BLANCHARD,
Governor of the State of Louisiana.

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

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