ACTS

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA

AT THE

REGULAR SESSION

Begun and Held in the City of Baton Rouge, on the Fourteenth Day of May, 1906.

PUBLISHED BY AUTHORITY OF THE STATE.

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1906.
hereafter erected by the State, shall be built of brick, stone or other fireproof material, and shall be so constructed as to be as near as possible fireproof.

Section 2. Be it further enacted, etc., That on and about such buildings as are referred to in Section 1 of this Act, that are more than one story high, shall be constructed a sufficient number of metal fire escapes to furnish exit for the inmates of said institutions, and it shall be the duty of those in charge of said public buildings to instruct the inmates thereof as to the location and proper use of said escapes, and also instruct said inmates in fire drill practice, at least once in each month.

Section 3. Be it further enacted, etc., That nothing in this Act shall prevent the repair of frame buildings now standing, or if new and incomplete, the completion of the same.

Section 4. Be it further enacted, etc., That all laws and parts of laws in conflict herewith are hereby repealed, and that this Act take effect from its promulgation.

P. M. LAMMREMBERT,
President Pro Tem. of the Senate.

J. W. IYAMS,
Speaker of the House of Representatives.

Approved July 10th, 1906.

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

A true copy:

JOHN T. MICHEL,
Secretary of State.

ACT NO. 137.

Proposing amendments to Articles 98, 99, 100, 106 and 131, and proposing the repeal of Article 105 of the Constitution of the State of Louisiana relative to 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:

Joint resolution fixing appellate jurisdiction of courts of appeal.
Article 99. The Court 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 shall receive a salary of four thousand dollars each per year, and the judges of the Court of Appeal for the Parish of Orleans shall receive salary of five thousand dollars each per year 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, Vermilion, 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 Caddo, Bossier, Webster, Bienville, Claiborne, Union, Lincoln, Jackson, Caldwell, Winn, Natchitoches, Sabine, De Soto, 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 in three districts each, as follows: The parishes of Calcasieu, Cameron, Vermilion, 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, Tensas, Ouachita, Madison, Morehouse and Caldwell shall compose the first district of the second circuit; and the parishes of Bienville, Claiborne, Jackson, Lincoln, Catahoula, Union, Bossier, Winn, Webster and Grant shall compose the second district of the second circuit; and the parishes of Caddo, De Soto, 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 pro-
vided for, one judge to be elected by the qualified electors of each district as above designated.

The first Courts of Appeal to be organized in the circuits herein established under this amendment to the Constitution shall be as follows: There shall be elected on January 16, 1907 by the qualified electors thereof one judge for each of the districts in the two circuits. 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 March 1907; 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 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. 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 General Assembly the Court of Appeals of the first circuit shall hold session of court at Baton Rouge, Amite City, New Iberia, Houma, Franklin, Opelousas, Crowley, Lake Charles, Thibodeaux and Donaldsonville, 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, Talluhah and Ruston, and such other places as may be designated by said Court of Appeals. The sessions of said Courts 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 decisions shall be rendered by these 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 shall be and is hereby abrogated.

Section 5. Be it further resolved, etc., That Article 106 of the Constitution of the State of Louisiana be amended as to read as follows: Article 106.

The sheriff of the parish in which the session of the court are held, 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, of the first and second circuits 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 session of the district or other courts.

Section 6. Be it further resolved, etc., That the fourth paragraph of Article 131 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 the Baptist, St. Charles, Jefferson, Plaquemines, and St. Bernard shall be returnable to 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 1907, and all cases pending and undetermined in the Courts of Appeals 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 amendments be submitted to the electors 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 in this State in November, 1906.

J. W. HYAMS,
Speaker of the House of Representatives.

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

Approved July 10th, 1906.

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

A true copy:

JOHN T. MICHEL,
Secretary of State.