PROPOSED AMENDMENTS TO THE CONSTITUTION OF THE STATE OF LOUISIANA.

ADOPTED BY THE Regular Session of the General Assembly in 1894.
bridges and works of public improvement mentioned in Article 209, it being the intent and meaning of this proviso that parishes and municipalities shall have the right to tax themselves to any limit subject to the restrictions of Article 209.

G. W. BOLTON,
Speaker of the House of Representatives.
H. R. LOTI
President Pro Tempore of the Senate.

A true copy:
T. S. ADAMS,
Secretary of State.

No. 193.

JOINT RESOLUTION

Proposing amendments to Articles 96, 97, 98, 99, 101, 102, 103, 105 and 109 of the Constitution of the State of Louisiana, relative to Courts of Appeal.

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

Article 95. The Courts of Appeal, except in cases hereafter provided shall have appellate jurisdiction only, which jurisdiction shall extend to all cases, civil or in equity, 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.

SECTION 2. Be it further resolved, etc., That Article ninety-six of the Constitution of the State of Louisiana be so amended as to read as follows:

Article 96. The Courts of Appeal shall consist of not less than three nor more than six judges, and each circuit shall be composed of three judges. At the General State election in the year 1900 they shall be elected by the people, for the term of four years. In case of death, resignation or removal from office of any of said judges, the vacancy shall be filled by appointment by the Governor. They shall be citizens of the United States, and of this State, learned in the law, and shall have practiced law in the State for six years, and shall have been actual residents of the district from which they shall be elected for at least two years preceding the election.

SECTION 3. Be it further resolved, etc., That Article ninety-seven of the Constitution of the State of Louisiana be so amended as to read as follows:

Article 97. The State shall be divided into two circuits. Until otherwise provided by law, the parishes of Caddo, Bossier, Webster, Bienville, Claiborne, Union, Lincoln, Jackson, Caldwell, Winn, Natchitoches, Sabine, DeSoto, Red River, Ouachita, Richland, Franklin, Catahoula, Concordia, Tangipahoa, Madison, East Carroll, West Carroll, Morehouse, St. Landry, Acadia, Avoyelles, Rapides, Grant, Vernon, Calcasieu, Cameron, Vermillion, Lafayette, Iberia and St. Martin shall compose the First

Article 98.

Article 99.

Article 100.

Article 101.

Article 102.

Article 103.

Article 105.

Article 109.

In order that no inconvenience may result to the public service and to save the expense of a special election, the three judges elected by the General Assembly in 1892 for the first, second and third circuits respectively shall be the judges of the Court of Appeals of the First Circuit, and the three judges elected at the same time for the fourth and fifth circuits, and for the Court of Appeals of the Parish of Orleans respectively, shall be the judges of the Second Circuit; and they shall hold office until the general election in 1900, and until their successors are elected and qualified. Until otherwise provided by law, the State shall be divided into six Appellate Court Districts, and one judge shall be elected from each of said districts by the qualified voters thereof, to be voted for at the general election in 1900, and every four years thereafter, and to serve for a term of four years.

The parishes of Caddo, Bossier, Webster, Bienville, Claiborne, Union, Lincoln, Jackson, Caldwell, Winn, Natchitoches, Sabine, DeSoto and Red River shall compose the First Appellate Court District from which one judge shall be elected.

The parishes of Ouachita, Richland, Franklin, Catahoula, Concordia, Tensas, Madison, East Carroll, West Carroll and Morehouse shall compose the Second Appellate Court District from which one judge shall be elected.

The parishes of St. Landry, Avoyelles, Rapides, Grant, Acadia, Vernon, Calcasieu, Cameron, Vermilion, Lafayette, Iberia, and St. Martin shall compose the Third Appellate Court District from which one judge shall be elected.

The parishes of East Baton Rouge, West Baton Rouge, Livingston, Tangipahoa, St. Tammany, Washington, St. Helena, East Feliciana, West Feliciana, Pointe Coupée and Iberville shall compose the Fourth Appellate Court District from which one judge shall be elected.

The parishes of St. Mary, Terrebonne, Assumption, Lafourche, St. Charles, Jefferson, St. Bernard, Plaquemines, St. John the Baptist, St. James and Ascension shall compose the Fifth Appellate Court District from which one judge shall be elected.

The parish of Orleans shall compose the Sixth Appellate Court District from which one judge shall be elected.

The three judges elected from the First, Second and Third Appellate Court Districts shall compose the Court of Appeals of the First Circuit.

The three judges elected from the Fourth, Fifth and Sixth Appellate Court Districts shall compose the Court of Appeals of the Second Circuit.

SEC. 4. Be it further resolved, etc., That Article ninety-eight of the Constitution of the State of Louisiana be so amended as to read as follows:

Article 98. The judges of the Court of Appeals shall hold two annual terms of court, such terms to be fixed by law for the time being.

SEC. 5. Be it further resolved, etc., That the provisions of the Constitution and laws of the State be amended to read as follows:

Article 99. Until the Courts of Appeal are constituted as provided by law, appeals from the courts of the following parishes shall be heard by the Supreme Court:

At Monroe first district appeals from the parishes of Ouachita, Concordia, Tangipahoa, Morehouse, Bienville, and Claiborne.

At Shreveport, second district appeals from the parishes of Bossier, Webster, Bienville, Claiborne, Pike, Minden, Red River, and Bossier.

At Alexandria, third district appeals from the parishes of Rapides, Grant, Vernon, Natchitoches, and Red River.

At Opelousas, fourth district appeals from the parishes of Iberia, Lafayette, St. Martin, St. Landry, and Vermilion, Lafayette.

At Amite, first district appeals from the parish of Amite.

At Covington, second district appeals from the parishes of St. Tammany, Washington, and Plaquemines.


At Thibodaux, fourth district appeals from the parishes of Lafourche, St. John the Baptist, St. James and Ascension.

At New Orleans, fifth district appeals from the parishes of St. Bernard, Plaquemines, JEfferson, and Ascension.

SEC. 6. Be it further resolved, etc., That Article one hundred and one of the Constitution of the State of Louisiana be amended as to read as follows:

Article 101. No appeal without the consent of the parties or the judge, and appeal by the Supreme Court of Louisiana is the right of the parties to the trial of appeals from the lower courts of the State, and shall be heard only upon the record of the trial of the case, and in no other case.

The judges of the Supreme Court shall be chosen by the people, and shall hold their office for the term of four years, and until their successors are chosen and qualified.
annual terms of court at such places in the circuit as may be fixed by law for the return of appeals.

SEC. 5. Be it further resolved, etc., That Article ninety-nine of the Constitution of the State of Louisiana, be so amended as to read as follows:

Article 99. Until otherwise provided by law, the terms of the Courts of Appeal shall be held as follows:

FIRST CIRCUIT.

At Monroe first Mondays in May and January—for trial of appeals from the parishes of Ouachita, Richland, Franklin, Catahoula, Concordia, Tensas, Madison, East Carroll, West Carroll, Morehouse, Union and Jackson.

At Shreveport first Mondays in June and February—for trial of appeals from the parishes of Caddo, Bossier, Webster, Bienville, Claiborne, Lincoln, Sabine, DeSoto and Red River.

At Alexandria first Mondays in October and March—for trial of appeals from the parishes of Caldwell, Winn, Grant, Rapides, Vernon, Natchitoches and Avoyelles.

At Opelousas first Mondays in November and April—for trial of appeals from the parishes of St. Landry, Calcasieu, Cameron, Vermilion, Lafayette, Acadia, Iberia and St. Martin.

SECOND CIRCUIT.

Amite, first Monday in October, and the second Monday in May, for trial of appeals for the parishes of Livingston, Tangipahoa, St. Tammany, Washington and St. Helena.

Baton Rouge third Monday in October, and the fourth Monday in June, for trial of appeals from the parishes of East Baton Rouge, West Baton Rouge, East Feliciana, West Feliciana, Pointe Coupee and Iberville.

Thibodaux, fourth Monday in November, and third Monday in June, for the trial of appeals from the parishes of St. Mary, Terrebonne, Assumption and Lafourche.

New Orleans, second Mondays in December, and March, for trial of appeals from the parishes of Orleans, St. Bernard, Plaquemines, Jefferson, St. Charles, St. John the Baptist, St. James and Ascension.

SEC. 6. Be it further resolved, etc., That Article one hundred and one of the Constitution of the State of Louisiana be so amended as to read as follows:

Article 101. No judgment shall be rendered by the Courts of Appeal without the concurrence of two judges. Whenever two members cannot concur, in consequence of the recusal of any member, or members of the court, the judge not recused shall have authority to call upon any judge or judges of the District Court, whose duty it shall be, when so called upon, to sit in the place of the judge or judges recused, and to aid in the determination of the case.

The judges of the Courts of Appeal shall have power to certify to the Supreme Court any questions or propositions of law concerning which it desires the instructions of that court for its proper decision. And thereupon the Supreme Court may either give its instructions on the questions and propositions
certified to it, which shall be binding upon the Courts of Appeals in such case, or it may require that the whole record and cause may be sent up to it for its consideration, and therupon shall decide the whole matter in controversy in the same manner, as if it had been on appeal directly to the Supreme Court.

The Supreme Court may on the relation of any party in interest review by certiorari, judgments of the Court of Appeal, which may conflict with each other or with the decision of the Supreme Court, and annul or affirm the same, and therupon shall decide the whole matter in controversy in the same manner, as if it had been on appeal directly to the Supreme Court.

SEC. 7. Be it further resolved, etc., That Article one hundred and two of the Constitution of the State of Louisiana be so amended as to read as follows:

Article 102. All causes on appeal to the Courts of Appeal shall be tried on the original record, pleading and evidence in the District Court, with a certified copy of the minutes, the whole to serve in lieu of a transcript, and to be filed as one document.

Immediately after the final decision of the cause, the original papers, together with a copy of the decree of the court, shall be returned to the court of the first instance.

SEC. 8. Be it further resolved, etc., That Article one hundred and three of the Constitution of the State of Louisiana be so amended as to read as follows:

Article 103. Until otherwise provided by law, the rules of practice regulating appeals to and proceedings in the Supreme Court shall apply to appeals to and proceedings in Courts of Appeal, so far as they may be applicable. The decisions of the Courts of Appeal, with syllabi prepared by the judges, shall be published, and the General Assembly shall make provisions for the publication thereof.

SEC. 9. Be it further resolved, etc., That Article one hundred and five of the Constitution of the State of Louisiana be so amended as to read as follows:

Article 105. The judges of the Courts of Appeal shall each receive a salary of four thousand dollars per annum payable monthly on their respective warrants.

SEC. 10. Be it further resolved, etc., That Article one hundred and six of the Constitution of the State of Louisiana be so amended as to read as follows:

Article 106. The Clerks of the District Courts of the parish in which the sessions of the Courts of Appeals are held, shall serve as clerks of the Courts of Appeal, and the clerks of the city of New Orleans shall remain as now fixed by law until otherwise provided by the General Assembly. Their fees shall be fixed by law. The sheriff of each parish in which the Court is held shall attend in person or by deputy to execute the orders of the court.

All cases appealed to or pending in the Courts of Appeal as organized under the Constitution of 1870, before or on the first Monday in May 1896 shall be transferred for decision to the Court of Appeals having territorial jurisdiction under the foregoing amendments.
No. 194.

JOINT RESOLUTION

Proposing an amendment to the Constitution of the State of Louisiana relative to the lease and employment of penitentiary convicts.

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 be adopted as a part of the Constitution of the State of Louisiana: 

1. No penitentiary convict shall ever be leased or hired to any person or persons, or corporation, private or public, or quasi-public, or board save as authorized in the next section, provided that this article shall take effect upon the extinguishment of the lease made pursuant to Act No. 114, approved July 10th 1890.

2. The General Assembly may authorize the employment of State supervision and the proper officers and employees of the State, of convicts, on public roads, or other public works, or on convict farms or manufactories owned or controlled by the State or by any levee board or any public levee under such provisions and restrictions as may be imposed by law.

G. W. BOLTON,
Speaker of the House of Representatives.

H. R. LOTT,
President Pro Tempore of the Senate.

A true copy:

T. S. ADAMS,
Secretary of State.

No. 195.

JOINT RESOLUTION

Proposing amendments to articles 224, 225, 229 and 233 of the Constitution of the State of Louisiana relative to 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 articles two hundred and twenty-four of the Constitution of the State of Louisiana be so amended as to read as follows:

Article 224. There shall be free public schools established by the General Assembly throughout the State for the education of all the children of the State; and the General Assembly shall