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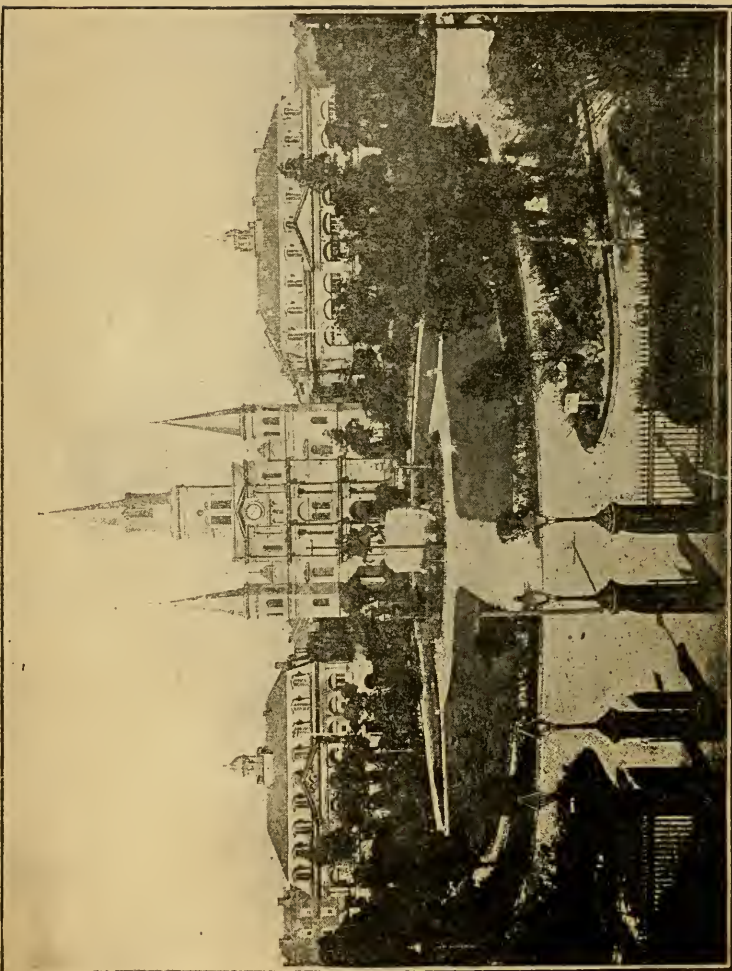


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A
HISTORY
OF
LOUISIANA

BY
Elizabeth
GRACE KING,

Author of

"New Orleans, The Place and The People;"

"De Soto in the Land of Florida," etc.

AND

JOHN R. FICKLEN,

Professor of History in Tulane University.

REVISED EDITION.

NEW ORLEANS:
THE L. GRAHAM CO., LTD., PRINTERS, 715-717-719 PERDIDO ST
1905.

F369
.K52
1905

Entered according to Act of Congress in the year 1893

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PREFACE.

In presenting this History of Louisiana to the people of the State, the authors find it necessary to say a word of preface. Their intention has been to write a history that would give the children of Louisiana a simple and true account of the progress of the State from the earliest times of discovery down to the present era. It is hoped, however, that the work will not prove uninteresting to older persons as well.

Every effort has been made to secure accuracy of detail; but as some errors may have crept in, the authors will be glad to receive notice of any that may meet the eye of the critic.

It may be added that all the artistic and mechanical portion of the work was done in New Orleans—the book is entirely a home product.

The authors desire to thank the librarians of the Fisk, the Howard, and the State Libraries for uniform courtesy and kindness in putting at their disposal the rich historical treasures from which the materials of this work are drawn.

Among these treasures the authors wish to acknowledge their special obligations to the Histories of Louisiana by the Hon. Charles Gayarré and Judge Martin; to Fiske's Discovery of America; to Margry's Documents; and to the official documents relating to the French and Spanish Domination.

Grateful acknowledgment is also made to E. H. Farrar, Esq., for the privilege he kindly granted of borrowing books and maps from his valuable library.

The authors owe special thanks to Messrs. L. Graham & Son, printers, for the care they have taken in the execution of their share of the labor.

In conclusion it is proper to state that Miss King wrote the first part of the history (as far as the end of the Spanish Domination), and that Mr. Ficklen completed it.

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HISTORY OF LOUISIANA.

INTRODUCTION.

Louisiana was named in honor of Louis XIV, king of France, by Robert Cavelier de la Salle, in the year 1682.

The name was then applied vaguely to all that region of the North American Continent lying between the Alleghany mountains on the East, the Rocky mountains on the west, the great fresh water lakes, Superior, Michigan, Erie and Huron on the north, and the Gulf of Mexico on the south. This is the territory drained by the Mississippi river and its tributaries, which is known as the Mississippi Valley. It is a territory which covers an area of 1,244,000 square miles, comprising the greater part of the United States.

From its source in the remote Northwest, to its mouth in the Gulf of Mexico, the Mississippi follows a course of 2800 miles. The principal tributaries of the Mississippi are the Missouri, Ohio, Arkansas and Red rivers.

The history of Louisiana is, in the beginning, therefore, the history of the discovery of the Mississippi river and valley, and the struggle for its possession by the three great European powers, Spain, France and England.

EXPLORATION.

CHAPTER I.

SPANISH EXPLORERS.

Louisiana first became known to Europeans through its southern boundary, the waters of the Gulf of Mexico.

Christopher Columbus. 1492.—Christopher Columbus, sailing west on his immortal voyage of discovery, touched the land of the New World on the islands which lie between the Atlantic and the Gulf of Mexico. He did not penetrate into the gulf itself, and knew nothing of the vast, beautiful country which, with its great central river, lay on the other side of it. On the return of Columbus to Spain, with the news of his great achievement, emulators and imitators arose in all the seaports of the kingdom, eager to reap wealth and fame also, by leading expeditions across the Atlantic to the New World beyond.

Americus Vespucius. 1497.—On one of these expeditions sailed the celebrated astronomer and pilot,* Americus Vespucius. It is most probable that, voyaging around the Antilles and into the blue expanse of the Gulf of Mexico, he saw the southern shore line of North America from Central America to Florida; just as afterwards, voyaging in the Atlantic Ocean, he saw the shore line of South America.

Mississippi, 1502.—On an old map dated 1502, which has been traced to a Spanish chart of this voyage, the results of such an exploration by an early pilot have been preserved. In quaint, rude outlines the gulf shore and Florida are distinctly traced upon it; and cutting through the land and flowing into the gulf are the familiar three channels of the mouth or delta of the Mississippi.

* It was the first of the four voyages of exploration made by Americus Vespucius, the written description of which attached his name to the country.

Bimini. 1513.—This voyage of Vespuccius was not followed up. The tide of exploration was turned toward South America and Florida. The Gulf Coast and the great river dropped back into the unknown. But the Indians of Cuba, pointing across the gulf to where the peninsula of Florida ran out into the blue waters, would tell their Spanish masters of a wonderful island over there, called the Island of Bimini. Upon it they said were great and splendid cities, vast riches of gold and silver, and, most strange of all, a fountain whose waters restored the aged to youth; "the fountain of youth" they called it.

Ponce De Leon. 1513-1521.—A Spanish cavalier, a friend of Columbus, obtained from the King of Spain permission to conquer it and make its wondrous possessions his own. He was beginning to get old, and, more than the riches of Bimini, he coveted the waters of the fountain which would make him young and keep him so. He sailed thither in the year 1513, with three brigantines. It was during the spring-time. Either from the quantities of beautiful flowers that met his eye when he came within sight of the coast, or from the day, Easter, "Pascua Florida," in Spanish, he named the country Florida. He explored the coast and traveled inland some distance, but found neither the fountain nor the riches, nor any of the wonders promised by the Indians. He returned to Cuba, disappointed but not discouraged. Nine years later, in 1521, he sailed over there again to make another attempt, but the Indians fiercely drove him off, and gave him a wound, from which he died shortly after, in Cuba.

Pineda. 1519. Mississippi River.—Between Ponce de Leon's two voyages to Florida, Alvarez de Pineda, coasting along the Gulf of Mexico, entered the mouth of a great river, supposed to-day by historians and geographers to be the Mississippi. He called it the Espiritu Santo, River of the Holy Spirit. He is probably the first European who ever

entered it. He found the Indians friendly and eager to trade. They lived in great towns composed of many small villages, and wore ornaments of gold.

Pamphilo de Narvaez. 1528.—The reports of these great Indian villages and the gold ornaments excited the greed and cupidity of Pamphilo de Narvaez. He saw in Florida a country rivaling Mexico and Peru for rich plunder. With four hundred men and four ships he set sail for it from Cuba. He landed at Appalachee Bay and marched inland, ordering his fleet to remain on the watch for him in the gulf. At first they found fields of corn and Indian villages; but afterward they journeyed for days through forest solitudes. Their cruelty to the Indians who fell into their hands kindled the fiercest retaliation against them. They were compelled to fight every step of their way forward. Their food gave out, and they suffered the tortures of famine. Some of their captives, forced to act as guides, led them only into the thickest of swamps and forest, out of which they had barely strength to extricate themselves. Their search was now, not for gold, but for food. Finally, weak, faint and dispirited, they returned to the seashore. Their ships were nowhere in sight. After wandering along the coast aimlessly they, in despair, set to work to build boats to get away from their terrible condition. They constructed a bellows and forge. All their iron, even spurs and stirrups, were made into hatchets and nails. Their shirts they made into sails. Cordage was twisted from their horses' hair and palmetto fibre. They made pitch of pine rosin and oakum of palmetto bark. Every man joined in the work. Every three days a horse was killed for food. At length, five vessels were finished and all embarked, crowding the boat to the water's edge. After six weeks they came to a river so great that it freshened the sea water into which it flowed, so that they could drink it. It was the Mississippi, the *Espiritu Santo*, of Pineda. In the rough water off its mouth, two of the boats capsized and all on board drowned,

among them, Narvaez. The other three boats were driven ashore somewhere on the coast of Texas. Ten years afterward, Alvaro Nuñez, surnamed Cabeza de Vaca, treasurer of the expedition, with three other gaunt, haggard men, looking more like animals than human beings, arrived in Mexico. They were all that had survived of the Narvaez expedition.

Hernando de Soto. 1539.—The last and most celebrated of the Spanish explorers of Florida was Hernando de Soto. De Soto had been with Pizarro in Peru, and had seen the vast wealth of the Indians. Like Pamphilo de Narvaez, he thought what Pizarro could plunder in Peru, he could plunder in Florida. He set sail from Havana in 1539, with 570 men, and 233 horses, in nine vessels. Never had so brilliant, so well armed, so well provided an expedition started from Spanish shores.



HERNANDO DE SOTO.

They landed at Tampa Bay, then called the Bay of Espiritu Santo. Here, with great pomp, De Soto took possession of the country for the Spanish king, and pitched his camp, confident of his future triumphs and booty.

But before daylight, the Indians, who had been secretly watching him, attacked him in vast numbers, with terrific yells. Many of his men were killed before he could retreat to his boats.

He commenced his march. The Indians, with the cruelty of Narvaez fresh in their memories, met the new invaders with all the fierceness of their savage nature. Learning that one of the men of the Narvaez expedition was a slave in a

neighboring tribe, De Soto obtained possession of him as interpreter and guide.

But Florida held no better fate for him than for Ponce de Leon and Narvaez. The country was poor. Instead of great Indian cities, with temples filled with treasures to sack, he found only moderate-sized and sparsely scattered Indian villages, and in the naked, poorly-armed Indian tribes he found the most vindictive of foes, who fought like demons, and neither gave nor sought quarter. More than once, De Soto's coolness and courage alone saved his own life and the lives of his army from utter destruction. Hoping always to find the gold and treasures and triumphs further north, he marched day after day, on and on. Through the wild territories of the present States of Georgia and South Carolina he led his band, until they reached the Tennessee river. Turning then, upon his steps, he countermarched and journeyed toward the south, until the great village of the Mauvilla or Mobile Indians rose before him. In a fierce battle here his men were killed in great numbers.

But almost as deadly as the Indian arrows, were the fevers that broke out in the army and thinned his ranks day by day. Leaving Mobile behind him, he pushed forward again to the northwest, opening his way through thickets and forests, climbing over steep hills, fording morasses, and crossing innumerable streams that cut through the country.

The Mississippi. 1541.—At length, after three years, he came to the banks of a mighty stream, over a mile wide, whose swift, turbid currents carried down great forest trees, which they had uprooted and torn away from their native soil. It was such a river as none in the army had ever seen before.

De Soto named it *El Rio Grande de la Florida*; the great river of Florida. He crossed it on rafts, at some point above the Arkansas, and led his army still forward toward the west. But he found in the west only what he had found

in the east and in the north and in the south; sickness, misery, hardships, and Indians who pursued him like wolves. He came at last to the end of his hope and endurance. Retreat was ordered. Once more the Spaniards turned; and they marched until they came again to the banks of the Mississippi. De Soto could march no further. The iron will and constitution which had seemed superhuman sank under the accumulated hardships, disappointments and ill health. Seized with a fever, he expired surrounded by the gaunt, worn men who had followed him so trustfully and loyally.

With his dying breath he appointed as successor Louis de Moscoso, his faithful lieutenant. To insure the dead body of their leader from Indian outrage, his followers wrapped it in skins, enclosed it in a hollow tree trunk, and in the silence and darkness of midnight they conveyed it to the middle of the mighty stream and sank it into the depths of the yellow currents.*

Moscoso made an attempt to reach Mexico by land. Striking out towards the West, he marched vigorously forward, through the Red River country and into the great plains of Texas. There, supplies of food failing him, he turned his men and hurried back to the Mississippi. At the village of Aminoya (below Red River) they built boats, in which, when summer came they embarked for the mouth of the river, whence they set sail for Mexico. After two months of toil and hardship, they came to a Spanish port. Less than a third of the original expedition had survived.

QUESTIONS.

How did Louisiana first become known to Europeans? Did Columbus know anything of the Mississippi? Who was Americus Vesputius? What coasts did he probably explore on the first voyage? When is the Mississippi first seen on a map? Was the exploration of Florida followed up? What was Bimini? Relate Indian stories about it? Who was Ponce de Leon? Why did he call the country Florida?

* The precise locality has never been determined, but it is supposed to be near the mouth of Red river

Relate his voyage? Who was Pineda? What did he name the Mississippi? Give an account of the expedition of Pamphilo de Narvaez? Who was Hernando de Soto? What did he hope to gain in Florida? Give an account of his march? When did he come to the Mississippi? What did he name it? Continue his march? Who was his successor? How was De Soto buried? What of Muscoso?



CHAPTER II.

FRENCH EXPLORERS.

Re-discovery of the Mississippi. 1669.—One hundred and thirty-two years the Mississippi flowed over the body of De Soto, before another white man came into touch with its history. The fact of its existence passed from men's memory, and lived only in old charts and records stored in Spanish archives.

And now its chronicle takes us to a different country, and to a different nation. Instead of Spain and the Spaniards, we have to do with France and the French, and instead of Cuba and the Gulf of Mexico, we must start from distant Canada and the Great Northern Lakes of America.

Let us study it on the map.

It will be seen that the French had entered and taken possession of the St. Lawrence river. They had founded the cities of Quebec and Montreal upon it, and made settlements in the neighboring regions. Little by little their missionaries and pioneers were advancing west, planting the cross and the standard of France in the territory of the great lakes, Ontario, Erie, Huron, Michigan and Superior. From the Indians that visited these mission houses and trading stations came the account of the vast country lying still further west and south; a country unknown and unexplored yet by the white men. The accounts were not those which had aroused the cupidity of the Spaniards; and lured them to



disaster. These Indians described no fabulous kingdom filled with gold and silver and precious stones. They spoke only of the wonders of nature; grand scenery, gigantic mountains, huge cataracts, immense forests and prairies, and boundless hunting fields swarming with game. But above all, they described a great river that they crossed to come to Canada, a river they called the Mississippi, which they said flowed the entire length of the continent, through a valley surpassingly fertile, and peopled with innumerable savage tribes to convert to the Christian faith and subdue to France. These stories, drifting to Montreal and Quebec, came to the ears of the Governor of Canada and of his intendant. But before reaching Montreal the stories had to pass through the settlement of the most celebrated pioneer France ever possessed in this country, Robert Cavelier de la Salle.

La Salle. 1669.—Robert Cavelier de la Salle was born in the city of Rouen, in Normandy, France. He was



LA SALLE.

educated in the religious schools of the time, and came to Canada at the age of twenty-three, determined to make a name and fortune in New France, as it was called. He obtained a large grant of land on the St. Lawrence, a few miles above Montreal. Here clearing the forests and superintending the building of houses for his settlers, he would, at the close of the

day, look out to that part of the heavens bright with the rays of the setting sun, and he would think about the vast un-

known region that lay between him and the west, and about the Indian stories of the great river that flowed through it to the sea on the other side of the continent; a river so long, the Indians said, that it would take nine months to reach the end.

As La Salle, like most men of his day, thought that China lay just on the other side of this continent, he believed that any river flowing straight west to the sea would furnish a new, short and easy route between Europe and Asia. To be the first explorer of this route would indeed gain him fame and fortune.

He went to Quebec and laid his plans before the governor, who gave consent to the exploration but no money. La Salle, without hesitation, sold his property and with the money bought canoes and hired men. The expedition started from his settlement, which, as though it were really the first step on the road to China, received the name of "La Chine."

Louis Joliet.—They paddled up the St. Lawrence to Lake Ontario and stopped at an Indian village to get a guide to the head waters of the Ohio, which would conduct them into the Mississippi. Here La Salle met the man whose name with his own was to be inseparably connected with the Mississippi. This was Louis Joliet. He was a young man of about La Salle's age, and like him full of energy and ambition. He was a fur trader and pioneer, and was just returning from an expedition to Lake Superior. He also had heard of the Mississippi, but knew nothing beyond what the Indians had told him.

La Salle proceeded on his way through Lake Erie, into the Ohio river, which he explored a long distance. Then returning he passed through Lakes Huron and Michigan, and crossed into the Illinois river and explored it. He was gone on his expedition two years. He never reached the Mississippi; but he had learned the way to get into it. He returned

to Canada for a larger expedition to carry out the larger schemes he had formed.

Joliet and Marquette. 1672.—In the meantime a new governor was put over Canada; the Count de Frontenac. The intendant, relating to him all the stories about the Mississippi, advised him to pursue its discovery and exploration, and named Joliet as the proper man to be employed for it. Frontenac accepted both the advice of the intendant and the man of his choice, and Louis Joliet was commissioned to discover and explore the Mississippi. Father Jacques Marquette, a Jesuit priest at Michilimakinak, was selected to accompany him.

Marquette. 1673.—Jacques Marquette was one of the noblest and purest missionaries that ever came to this country. Born of good and honorable family, in France, he sailed to Canada before he was thirty, to devote himself to the conversion of the savages. He learned six of their languages, and cheerfully braved all the dangers of their barbarous tempers, and the hardships of frontier life, to carry on his work among them. Far out on the great lakes he had advanced his missions, but an unexpected outbreak of the savages had driven him back to Michilimakinak. Here it was that Joliet found him and gave him the governor's commission. Marquette, in his lonely post, had also heard from the Indians about the Mississippi. As he thought over its majestic size of the mildness and fertility of its great valley, and of the number of Indian tribes living in it, it became the dearest wish of his heart to christianize so favored a region. With joy, therefore, he consented to accompany Joliet. Their preparations were soon made. They consisted of two birch bark canoes, five men, and a supply of smoked meat and Indian corn. They started in the most beautiful time of the year in that region; in the spring, the month of May.

Joliet and Marquette. 1672.—As we followed La Salle, let us follow Joliet and Marquette also on the map. They

journeyed around the mouth of Lake Michigan until they reached the mission of Father Claude Allouez.* Here they turned into Fox river, which led them across Lake Winnebago, and through a vast prairie country filled with wild rice, in which great flocks of birds fed. They passed villages of Kickapoo Indians, to whom the priest and Joliet explained their expedition. The Indians stared with wonder at their temerity and tried to dissuade them from so perilous a journey, by telling them the most horrible tales of the cruelty and treachery of the Indians along the Mississippi.

The priest and the pioneer were not to be frightened, however. They asked for guides and set out as soon as possible. They followed Fox river to the end, carried their canoes over to the Wisconsin, and launched them in that river.

Mississippi Discovered.—For ten days they paddled down the Wisconsin, until from their right a broad, rapid current dashed across their course. It was the Upper Mississippi! Into it they turned their canoes. It bore them rapidly along. They gazed with wonder and awe at the panorama which nature here unfolded to them, hour after hour and day after day, as they advanced. The banks, covered with gigantic virgin forests, now rose into perpendicular heights, now sank into undulating plains. Wild animals darted in the thickets; along the edge of illimitable prairies, buffaloes stared at them from under their shaggy manes. They hauled up all kinds of strange fish in their nets. They no longer camped on the shores at night. Mindful of the Indians of the region, after cooking their supper on land, they carefully extinguished their fires, and, paddling out into the stream, anchored and slept there, with sentinels on watch. But no human being was to be seen. At last, one day, on the western bank, footprints in the mud caught their eyes. They were found to lead to a well beaten path,

*A devoted Jesuit priest, who founded as early as 1670 this mission at St Francis Xavier, as he named Green Bay.

across the forest towards a prairie. Leaving their canoes in charge of the others, Marquette and Joliet set out to follow the path. They walked until they saw seven Indian villages in the distance. Then creeping cautiously along, they came near enough to hear talking in the wigwams. With a shout they made themselves known, and paused in anxious doubt whether their reception would be that of friends or foes. The Indians swarmed out of their wigwams like wasps out of their nests. For an instant all was wild excitement and confusion. Then calumet bearers were seen advancing with their peace pipes. Marquette and Joliet received them thankfully.

The Indians proved to be the Illinois. Far from being foes they were most friendly to the French. A grand reception was at once held, which all the warriors, squaws and children attended. Marquette, standing forth among them, proclaimed his sacred message of the Christian faith, and the nature of the enterprise upon which he and Joliet were engaged. The chief of the tribe responded in a speech, in which he expressed his joy at seeing the white men and his admiration of them, but implored them to proceed no further in their hazardous undertaking.

All sat down now to a great feast, served in the highest Indian style. First there was a wooden bowl of sagamity or hominy, seasoned with bits of meat and grease, which the Indians fed to their guests with wooden spoons, as though they were infants. Then came fish. The Indians carefully removing the bones and blowing on the morsels to cool them, placed them with their own fingers in the mouths of their guests. The greatest savage luxury, roast dog, was then presented, but learning that it was not palatable to the priest, the Indians politely substituted buffalo meat in its stead. The night was passed talking and sleeping on buffalo skins stretched over the ground. The next morning an escort of six hundred followed Marquette and his friend to

their canoes, and waved them farewell as they pushed from the bank and paddled out of sight down the stream.

The canoes passed the mouth of the Illinois, and shortly afterwards came to a huge towering rock, on the face of which the Indians had painted hideous monsters in red, green and yellow. The good priest, terrified at what he considered the work of the devil, hurried away from it, with many prayers and signs of the cross.

And now, the great, rushing, yellow torrent of the Missouri poured into the stream before the travelers, turning the currents into a muddy brown. Their canoes almost upset in the sudden whirlpool and eddies. On they paddled, past the site of the present city of St. Louis and the mouth of the Ohio. The highland scenery changed into lowland scenery; mosquitoes made their appearance. A few miles above the mouth of the Arkansas they came to the village of the Kappas Indians, who at first sight gave furious war cries and seized bows and arrows and made most terrific demonstrations. They were pacified, however, and feasted the voyagers and permitted them to pursue their way unharmed.

At the mouth of the Arkansas was a large village of the Arkansas Indians. These received the travelers well and entertained them hospitably.

Marquette and Joliet decided that this should be the end of their exploration. They had found out that the Mississippi flowed south, not west, and that it emptied into the Gulf of Mexico, not into the Gulf of California. Thinking themselves much nearer the mouth of it than they really were, they feared if they went further they might fall into the hands of the Spaniards or of some hostile Indians, and so not be able to return at all.

The canoes being headed up stream, they retraced their course to the Illinois, which they entered and so reached Lake Michigan and the mission house at Green Lake. But midsummer heat and the long voyage were too much for the deli-

cate body of the priest. He fell ill, and on reaching Green Bay was too weak to continue the journey. It was then the end of September. Joliet proceeded to Quebec alone. He gave the governor the account of his and Marquette's voyage. Frontenac, delighted with the success of it, ordered public rejoicings, and, in sign of the French triumph, changed the name of the great river from Mississippi to Colbert, after the enlightened minister of Louis XIV.

The saintly Marquette remained at Green Bay a year. Thinking then that his health was sufficiently restored, he returned to the beautiful country of the Illinois to found a mission there. He was received like an angel from heaven by the Indians, and was entering on his pious work, when his disease came upon him again. He hastened his departure, but he was not able to arrive at Green Bay; his sufferings increased so violently that he was forced to stop on the shores of Lake Michigan, where he expired and was buried.

QUESTIONS.

How many years after De Soto before the Mississippi was again visited by white men? Describe the advance of the French into Canada. How did they hear of the Mississippi? Who was La Salle? How did the idea of exploring the west come to him? What country did he think to reach in crossing the continent to the west? Relate what followed. Who was Joliet? Continue with La Salle's expedition. Did he get into the Mississippi? Who was the new governor of Canada? Who was named to accompany Joliet? Who was Marquette? How did Marquette and Joliet get into the Mississippi? What Indian village did they pass? What did the Indians tell them of the Indians along the Mississippi? Describe the upper Mississippi. Relate the journey of Joliet and Marquette. Arrival of Joliet in Canada? Death of Marquette? After whom did Frontenac name the Mississippi?

CHAPTER III.

FRENCH EXPLORERS CONTINUED.

La Salle meanwhile had not been idle. Having thoroughly explored the two ways to the Mississippi, he had set about to make his plans and preparations to take possession of the river itself. His plans, as a look at the map will show, were very grand and of vast importance to France. He proposed not only to explore the Mississippi to its mouth, but to build forts and trading posts as he went along in all favorable places, particularly at the mouths of those great rivers that flowed into the Mississippi.

As France already possessed the great lakes at the north, this would make her mistress of all the great waterways of the country and give her the monopoly of all its trade. It was a scheme that instantly found favor with Frontenac, and as a first step toward accomplishing it he gave to La Salle the new fort he had just built, Fort Frontenac, and all the trading privileges attached to it. But to carry out such a scheme required a great outlay of money. La Salle went to France, where he secured the favor of the king and raised money for the enterprise, and in addition gained a friend and companion whose loyal faithfulness was never to swerve from him. This was Henri de Tonty, an Italian officer, surnamed the "Iron Hand," from an artificial hand of metal which he wore to replace the one he had lost in the wars.*

For a year after his return to Canada La Salle was busily engaged making his preparations. An expedition of this size could not be carried in canoes; large vessels were needed to convey the supplies of men, arms, ammunition, provisions and building material across the great lakes, and to bring back to Canada the large stores of furs which La Salle ex-

*Tonty wore a glove over it, and made good use of it afterwards to astonish and keep the Indians in awe of him; sometimes, with a slight tap from it cracking their skulls or knocking out their teeth.

pected to get from the Indians. He got his party together and started from Frontenac, and advanced to Niagara river, where they stopped to build a fort, and a vessel which was named the Griffin. They embarked again, and, sailing through Lakes Erie and Huron, and Lake Michigan, came to the mouth of the St. Joseph river. Here they stopped and built a fort, Fort Miami.

But it is one thing to plan expeditions and another to carry them out. La Salle, for all his courage and fortitude, was no leader. Proud, haughty, reserved and suspicious, his men, instead of loving him, learned to dislike and fear him. They deceived him, and stole from him; they deserted at every opportunity; they even tried to assassinate him.

From Fort Miami the Griffin was sent back to Canada loaded with a wealthy cargo of furs gathered from the Indians.

Nothing was ever afterward heard of the vessel or cargo. La Salle always thought that the captain had scuttled her and made away with the furs, which in those days were as good as gold. He pushed on in canoes up the St. Joseph to its end, and carried his canoes over the portage to the Kankakee, which flowed into the Illinois. But the Illinois Indians, so gentle and hospitable to Marquette, were distrustful of and savage to La Salle. French traders, jealous of La Salle's fur monopoly, had poisoned the minds of the natives against him. He built his third fort on the Illinois river, a few miles above the Indian village on Lake Peoria. Messengers from Canada here brought him the news that, besides the loss of the Griffin, his creditors had seized his property at Fort Frontenac. In his grief and disappointment he gave his new stronghold the appropriate name of "Creve-Cœur" (Broken Heart).

With the Griffin and all his furs lost, his property in Canada seized, his men deserting and mutinous, provisions exhausted and no means at hand to replace them, La Salle saw himself forced to go to Canada for new supplies. He left

Fort Creve-Cœur in command of Tonty and set out with four men and an Indian guide. It was in early spring, the deep snow lay white upon the ground, the rivers and lakes were frozen over. He made the journey, over a thousand miles, mostly on foot with snow shoes, dragging his canoe after him.*

He hastened through his business in Canada, and in the autumn he once more paddled his canoe through the waters of the St. Joseph, towards his fort. But what a different scene met his eye as he advanced! Fort Miami deserted and destroyed; the great towns of the Illinois a shocking sight of rapine, cruelty and outrage; blood and corpses, fire and havoc everywhere. He pushed on to Fort Creve-Cœur and Tonty. The fort was demolished, no human being visible. The bloody Iroquois had passed over the country, and nothing but the silent forests were left to bear witness to the thoroughness of their work.

But the indefatigable explorer was only the more resolved not to give up. He had to return to Canada again and make a new start on his journey. He searched in every direction for traces of Tonty. He had given him up as massacred, when from some Indians on Green Bay he heard that the "Iron Hand" was still alive among the Indians of Lake Ontario. La Salle sped on, found him, and together they commenced at the very beginning again to form their expedition.

Success of La Salle. 1682.—They set out in the early winter, fifty-four of them, in canoes. Following the route with which they were now familiar, they got into the Illinois, and from it into the Mississippi.

* Before starting from the fort, La Salle sent a priest named Hennepin to explore the Illinois river and upper Mississippi. Hennepin was captured by the Sioux Indians and carried far up in the northwest. At the Falls of St. Anthony, which he named after his patron saint, he was rescued by a Canadian "coureur de bois" (adventurer). Hennepin did not return to Fort Creve-Cœur, but went on to Canada, where he published an account of his adventures. After La Salle's death, he claimed that besides discovering the head of the Mississippi, he had gone to the mouth of the river, and that he, not La Salle, was entitled to the honor of its first exploration. His claim was proved to be false, and he untrustworthy.

They paddled down the Mississippi, gazing, as Marquette and Joliet had done, with awe and wonder on the mighty stream turning and twisting before them through its forest-covered heights and slopes. Camping on the Chickasaw bluffs they built a fort which they named Fort Prudhomme, after one of the men who went hunting in the woods and did not return. After six days' continual searching for him, La Salle concluded he must have been killed and was proceeding without him, when he was found and brought to camp, almost dead from hunger and fatigue.

They stopped at the Kappas and Arkansas villages at the mouth of the Arkansas river, which had formed the limit of Marquette and Joliet's explorations. The Indians showed themselves gentle, kind hearted and hospitable. When the smoking, feasting and entertainment following their reception were over, La Salle, with great pomp and ceremony, erected a cross bearing the arms of the king of France. The priest chanted a Latin hymn, the soldiers shouted "Vive le roi!" and La Salle in a loud voice proclaimed that he took possession of the whole country in the name of the king of France. The Indians standing around stared in wonder and admiration.

Arkansas guides piloted the party the rest of their way down the river. They showed La Salle on the right hand side of the river the path that led to the great Tensas village, on Lake Tensas, a few miles inland. While the rest of the expedition waited at the river landing, Tonty with some of the men went on a visit to it.

Great Tensas Village. 1682.—It was indeed a great village; greater and handsomer than any Tonty had ever seen in America. The wigwams were large and well built; their shape round. The walls were of pickets plastered with mortar, made of clay and moss; the roofs were conical shaped, formed of split canes fastened together, with a hole in the pointed centre for a chimney. The temple of the sun

and the lodge of the chief were built like the other wigwams, only larger and handsomer. On the roof of the temple and on each side the entrance were daubed rude pictures of animals. The inside was a dark, gloomy bare room, in which stood a kind of altar; before it burned a perpetual fire from three logs placed end to end. The temple was surrounded by a palisade on which were stuck the heads of the victims sacrificed to the sun god; and before the door was a block of wood on which lay braids of hair, also from the sacrificed. The chief and the dignitaries of the village wore white mantles woven from the bark of the mulberry tree. They all came in state to visit La Salle at the bank of the river and returned loaded with presents which the generous Frenchman had bestowed upon them.

Down to the Mouth of the Mississippi. 1682.—The explorers next stopped at the Natchez village, which in size and appearance was very like the Tensas. La Salle erected another cross here. The Houmas village, which came next, was passed in a fog without being seen.

Then came Red river, rolling from the west, churning up the Mississippi into eddies and whirlpools and emptying into it great floating trees and masses of driftwood. The canoes glided unknowingly over the spot where the dead body of the unfortunate De Soto had been sunk in midnight burial, and sped unmolested between the banks from which the ambushed warriors had sent their deadly arrows into Muscose's flying band. At the Quinipissas village, warlike sounds broke into their peaceful, calm advance. But La Salle, anxious to avoid strife and bloodshed, hastened by unheeding. He stopped at a village he saw on the left bank of the river. It was deserted, and some of the cabins were filled with corpses. It was the village of the Tangipahoas, destroyed by their enemies only a few days before.

Now the river divided into three channels. The canoes paddled into them—and now the bright gleaming gulf

opened out before them. Eyes gladdened—Voices rose in shouts—The journey was ended—The task at last accomplished—The Mississippi explored to its very mouth!

Taking Possession of the Mississippi. 1682.—La Salle jumped to the land. By the grace of God and his own indomitable will the plans formed at La Chine thirteen years before, while his eyes looked across the forest toward the setting sun, had been realized.

After sounding and exploring all around the mouth of the river, the canoes filed up stream again and paddled along until they came to where the banks rose dry and firm above the muddy current. Here all landed—La Salle, Tonty, priests, Frenchmen, Canadians, Indians. After prayers and hymns of thanksgiving and praise, a great column was made and erected, bearing the arms of the king of France. La Salle, standing beside the column, made the following proclamation in a loud voice:

“ In the name of the most high, mighty, invincible and victorious
 “ Prince, Louis the Great, by the grace of God King of France and of
 “ Navarre, fourteenth of that name, I, this 9th day of April, 1682, in
 “ virtue of the commission of his Majesty, which I hold in my hand, and
 “ which may be seen by all whom it may concern, have taken, and do
 “ now take in the name of his Majesty and of his successors to the crown,
 “ possession of this country of Louisiana, the seas, harbors, ports,
 “ bays, adjacent straits, and all the nations, peoples, provinces, towns,
 “ cities, villages, mines, minerals, fisheries, streams and rivers within
 “ the extent of the said Louisiana, from the mouth of the great river,
 “ St. Louis, otherwise called the Ohio, as also along the river Colbert,
 “ or Mississippi, and the rivers which discharge themselves therein,
 “ . . . from its source as far as its mouth at the sea or Gulf of
 “ Mexico . . . from the assurance we have from the natives of
 “ this country that we were the first Europeans who have descended
 “ or ascended the said river Colbert; thereby protesting against all
 “ who may hereafter undertake to invade any or all of these aforesaid
 “ countries or lands to the prejudice of the rights of his Majesty, ac-
 “ quired by consent of the natives dwelling therein; of which and
 “ of all else that is needful, I hereby take to witness those who hear
 “ me, and demand an act of the notary, here present.

The cross was then planted with further ceremonies and near it was buried a leaden plate engraved with the arms of the king of France, and the inscription, *Ludovicus Magnus regnat*: Louis the Great reigns.

La Salle fell ill on the return voyage and was forced to stop at Fort Prudhomme, while Tonty carried the report of the expedition to Canada. By the middle of summer he was able to go to Fort Miami. There he remained for a year with Tonty, arranging plans for a new expedition. He then went to Canada and sailed to France.

QUESTIONS.

What was La Salle doing meanwhile? Give an account of his schemes? What friend did he gain in France? Continue La Salle's operations, start and journey? What fort did he build on the St. Joseph? Continue account of journey? What was the location and name of his third fort? Why was La Salle forced to return to Canada? Relate his return? Who and what was Hennepin? Continue account of La Salle? Where is Fort Prudhomme? Describe Kappas and Arkansas village? Describe the great Tensas village? Quinipissas village? The deserted Tangipahoa village? Describe the act of taking possession?

CHAPTER IV.

FRENCH EXPLORERS CONTINUED.

La Salle's new expedition was to be an entirely different enterprise from the last. Instead of undertaking again the long, difficult and dangerous journey from Canada, La Salle decided to sail direct from France, and found a colony at the mouth of the Mississippi, fetching at once all the settlers and materials necessary. When the colony was fairly established he intended to open communications with Canada, and build his line of forts and trading posts along the way to it. The Mississippi, it is true, did not lead to the west

and to China, but it flowed south, leading to the mines of Mexico and the trading centres of Spanish America and the West Indies. He had visions of discovering in Louisiana gold and silver mines as rich as those in Mexico, and of monopolizing all the commerce of the Gulf of Mexico and the Carribean Sea. He even looked forward, in case of a war between France and Spain, to the invading and capturing of Mexico itself.

The court of France granted all that was needed for the new colony and forts, and La Salle, confident and full of hope, sailed with two hundred and eighty colonists, in four ships, from La Rochelle, in July, 1684. But from its beginning the enterprise seemed doomed to disaster and misfortune.

The same unhappy faults of temper which made La Salle unpopular with his subordinates and companions before, produced dissensions again. His jealousy and tyranny became unbearable. Before he was half way across the ocean his men hated him; he was in dispute with every officer in the squadron, and in open quarrel with Mr. de Beaujeu, the officer of the royal navy sent to escort him. At St. Domingo many of his men deserted. The rest suffered cruelly from an epidemic of fever then raging there. La Salle himself fell dangerously ill of it, and while he was slowly recovering he heard of the capture of one of his vessels and valuable cargo by the buccaneers. The news gave him a relapse, from which he came near dying. Finally he was able to set sail in the month of December.

On the Gulf Coast. 1685.—On New Year's day, 1685, they came to anchor in sight of land.

When he was at the mouth of the Mississippi, La Salle had taken its latitude, but not its longitude; consequently he had to steer his ships with only half knowledge of the location of the point he was steering for. Had he sailed due north from the channel into the gulf, he would have hit it,

but he heard such exaggerated accounts of the easterly currents of the Gulf of Mexico that he thought he must take a westerly course to counteract them. A look at the map will show the result of his error. Instead of landing near the mouth of the Mississippi he landed four hundred miles away on the coast of Texas.

The low sandy shore was the same as the shore around the Mississippi, and its configuration was not unlike the delta. La Salle was convinced that it was the delta of the Mississippi and would hear no contrary opinion from any of his officers. The ships sailed along the coast until they came to Matagorda Bay; there the colony disembarked. One of the freight vessels was wrecked entering the harbor and most of her cargo was lost. De Beaujeu, the royal escort, with his vessel, sailed back to France. A fort was built named Fort St. Louis, and the emigrants struggled along heroically for two years in their forlorn condition, building lodgings and fortifications and tilling the ground. But the seasons were against them, provisions and the supplies of clothing gave out, and sickness attacked them. The little graveyard filled, fuller and fuller. Worst of all, the last remaining vessel was wrecked and lost, and all communication with the mother country, all hope from the outside world, was cut off. Despair settled over the fort and its inmates. During this trying period, La Salle, always great in misfortunes, showed marvelous patience, courage and fortitude, day and night devoting himself to those who had trusted their future to him. He was the last of the band, however, to open his eyes to the facts of his desperate situation, that instead of being on the Mississippi, he and his colony were castaways on an unknown and unexplored shore, out of reach of help of any French settlement.

End of La Salle. 1687.—La Salle adopted the only resource left him—to go on foot to Canada and fetch back help to the colony. He assembled what was left of his

wretched companions, only about forty now, and announced his resolution to them. He selected those who were to accompany him, about twenty, among them his brother, the Abbe Cavelier, and his nephew, with a priest, and the young Frenchman, Joutel, who afterward wrote an account of the journey. The parting was sad and solemn, the women and young girls weeping bitterly.

La Salle, still, notwithstanding the desperate nature of his mission, could not lay aside his haughty demeanor to his companions. The men under him, naturally lawless, had become savage with suffering and disappointment. They were not disposed to stand any discipline from their superiors. A dispute between some of them and La Salle's nephew resulted in the assassination of the nephew. The assassins then, for their own safety, forced all the men to join them, and to make themselves perfectly secure, and satisfy their long hatred against La Salle, they waylaid and murdered him.

Joutel, the priest, and La Salle's brother made their escape from the assassins. Reaching the Arkansas, they got into the Mississippi, and from thence to Canada and France, where they arrived eighteen months after leaving the coast of Texas. Their appeal to the king in behalf of their companions of Fort St. Louis was in vain. Louis XIV would do nothing for them. Their fate was indeed most tragic. The Indians fell upon the fort and slaughtered all the inmates with the exception of two children and one man, whom they kept prisoners. The Spaniards, who claimed this part of the country, sailing over there not long afterwards to drive the French away, found nothing but dilapidated walls and buildings and mutilated corpses. One man, however, had made a life-saving effort for La Salle. This was Tonty. In his distant fort on the Illinois river, he heard from Indians and Canadian tramps that La Salle was in the mouth of the river, shipwrecked and a prey to the Indians. Raising a band of

Canadians, he with all speed journeyed there. He found, of course, no trace of La Salle nor of his expedition.

QUESTIONS.

How was the new expedition to be different from the last? What were La Salle's plans when the colony was established? When and with how many did he sail? What appears from the very beginning? What happened at St. Domingo? What did he do when the truth broke upon him? What happened? Who escaped? What did they do in France? What was the fate of the colony? Who made an attempt in behalf of La Salle?



CHAPTER V.

FRENCH EXPLORERS CONTINUED.

France was at the time plunged in war, fighting Spain, England, and the other principal powers of Europe combined against her in the league called the Holy Alliance. The Mississippi, the grand new territory of Louisiana, and the abandoned massacred colony of Matagorda Bay, were forgotten in the excitement of great battles and sieges nearer home. But as soon as the peace of Ryswick was signed (1697), Louis XIV showed himself eager enough to take up and push La Salle's great scheme.

Louis XIV, however, was not the only king of Europe who had his eyes fixed on the rare prize of the Mississippi and Louisiana. There was, besides, William III, king of England, anxious to gain it to add to his possessions in America. And there was also Charles II, king of Spain, determined that no power except his should be established over the gulf, and near his precious mines of Mexico.

Louis XIV's minister of marine was the Count Louis de Pontchartrain, a man of great moral worth and enlightenment. The Count de Pontchartrain's secretary and assistant was his son, Jerome Count de Maurepas, a young man of

brilliant qualities, filled with ambition for himself and for the glory of France. It was to these two men that France owed her triumphs over England and Spain in the contest for the possession of the Mississippi and Louisiana.

When Louis XIV announced, after the peace of Ryswick, his determination to continue La Salle's enterprise, Pontchartrain, with energy and vigor, fitted out the expedition for it, and Maurepas produced the man to lead it. This man was the great Canadian seaman, Pierre Lemoyne d'Iberville.

Iberville. 1698.—Iberville was the son of Charles Le Moyne, of Dieppe, Normandy, one of the earliest and most noted settlers of Canada. He was one of nine brothers, all of whom distinguished themselves working and fighting for their country.* Of all the nine, Iberville was the most glorious, and it is with pride that Louisiana points to him as her founder.



IBERVILLE.

Before he was fourteen, he had become a good sailor by cruising in a vessel of his father's in the Gulf of St. Lawrence. After that he voyaged on the Atlantic, sailing with skilful navigators, to and fro, between Canada and France. Strong, active, daring and handsome, he never failed to please his superiors and secure the good fellowship of his subordinates; and there seemed no enterprise on land or sea perilous enough to daunt him. His

* The names of these famous brothers were Charles, Sieur de Longueuil; Jacques, Sieur de Sainte Helene; Paul Pierre, Sieur d'Iberville; Paul, Sieur de Maricourt; Francois, Sieur de Bienville; Joseph, Sieur de Serigny; Louis, Sieur de Chateauguay I; Jean Baptiste, Sieur de Bienville II. The youngest brother, named Sauvole, died in infancy. He has been mistaken for Sauvole, the French officer who sailed with Iberville, and who is called the first governor of Louisiana.

most famous exploits were against the English in Hudson's Bay and on the coast of Newfoundland. In canoe or in snow shoes, brandishing gun, hatchet or cutlass, we see him ever in the front of his hardy band of Canadians and Indians, and always leading to success. From 1686, the year that the unfortunate La Salle was making his life and death struggle on the coast of Texas, until 1697, when the Peace of Ryswick put an end to the war with England, he was the hero of one brilliant action after another, until his name in the reports from Canada to France became the sure sign of French victory and English defeat.

When Maurepas, therefore, sent for Iberville and confided to him the mission of completing La Salle's work, he well knew that his man was one who had never disappointed expectations of a friend or a foe.

Iberville's Expedition. 1698.—La Salle's original plan was to be carried out. A colony was to be transported directly from France to the Mississippi and settled there; communications were to be opened by river to Canada, and forts built at the mouths of all the important streams emptying into the Mississippi.

Pontchartrain and Maurepas threw themselves heartily into pushing forward the preparations. Two frigates, the *Badine* and *Marin*, were fitted and manned with a picked crew; and two freight ships were purchased and filled generously with stores of ammunition, arms, provisions, presents for the Indians, etc. Iberville himself superintended everything on the spot; selected his men, tried, tested his arms, and examined the provisions and presents for the Indians. For in all his enterprises Iberville never left anything to the chance of another man's sense of duty.

Joutel was, after all his adventures, living peaceably in his native city of Rouen. Pontchartrain tried to induce him to join the expedition, but Joutel refused. He sent, however, to Iberville the journal he had written of La Salle's expedi-

tion. It contained only the accounts of a great failure, but there is no surer way to success than by studying the reasons of another's failure.

Everything being completed on the morning of the 24th of October, 1698, Iberville fired the signal from his frigate, the *Badine*, and led the way out of the harbor of Brest, followed by the Count de Surgeres in the *Marin*; the heavily loaded freight ships sailed slower behind them.

With Iberville sailed his young eighteen-year-old brother, Bienville, a midshipman; with the Count de Surgeres sailed, as lieutenant, the *Sieur de Sauvole*,* both destined to be governors of Louisiana.

One of the freight ships disappeared in a gale, off *Ma-deira*, and after a short search was given up as lost. The rest of the squadron, after a quick and uneventful voyage, arrived at *St. Domingo*, where they made a hasty stay for supplies of fresh water and food. Here the royal escort, the *Marquis de Chateaumorant*, on the warship *Francois* joined them, and shortly afterwards, much to the delight of the whole squadron, the lost freight ship made her appearance, with her mast broken, but not otherwise injured by the gale.

Before he left France, Iberville had heard of an English expedition being fitted out also to discover and take possession of the mouth of the *Mississippi*, and he had made up his mind, if it were to be a race, to be the first at the goal; if a contest, to hold good, by ruse or force, his reputation against his rivals.

Some English vessels had been sighted off *St. Domingo*; fearing that they might belong to the English expedition, he hastened his departure, setting sail from the island on the last day of December. He took with him as pilot, *Lawrence de Graff*, one of the most noted buccaneers of the time and

* This is the officer sometimes called, in early histories, the brother of Iberville and Bienville. He, however, was no relation to them.

region, a man who had lived upon the Gulf of Mexico and knew it thoroughly.

They sailed through the channel of the Yucatan, and steered due north, across the Gulf of Mexico. Anchoring every night and sounding their way as they went along by day, they advanced slowly. It was not until the afternoon of the twenty-third day that land was sighted. Taking his bearings, Iberville found that he had struck the coast of Florida as he expected, just south of Apalachicola Bay.

De Graff had spoken of a beautiful harbor on the coast of Florida, well known to buccaneers, who went there for mast timber and to get shelter from storms. Iberville, anxious to find and take possession of it, commenced a systematic search for it. He sent a barge to row in and explore close along the shore, while he brought the ships in as near as their draught permitted, and scanned the land with his glasses. Mile after mile was thus passed. Suddenly the barge signaled a bay ahead with the masts of vessels in it. Iberville thought the vessels must be English. He fired the signal to halt. The vessels in the bay, taking it for a warlike demonstration, answered with a volley of musketry. Then a fog fell and the vessels saw nothing of one another for hours. When it lifted, Iberville sent a party ashore and found out that the harbor was the one he was in search of, but that the Spaniards were in possession and had named it Santa Maria de Galvez de Pensacola.

The disappointed French squadron remained at Pensacola several days and then set sail for Mobile Bay.

Fearing opposition from the Spaniards, Iberville concealed from them the real object of his expedition, giving out instead that he was in search of some roving coureurs de bois, to whom he was carrying the king's orders to return to Canada.

Mobile Bay. 1699.—The ships anchored in front of Mobile Bay. Iberville, with his young brother, Bienville, crossed

to the long, narrow island that lay like a breakwater between the gulf and the bay, and explored it. At one end they came to a ghastly heap of human bones, left from some ruthless Indian massacre; so they named the island Massacre Island. A terrific storm here broke over the fleet. Iberville, engaged in sounding the channel, was driven with his men to one of the near little islands for shelter. For three days they were held there, storm-bound, the driving rain, mists and spray shutting them off from even the sight of their vessels in the gulf.

When the storms had subsided and fair weather set in, Iberville explored the shores of Mobile Bay. Returning to the ships, anchors were raised and sails set for another stage of the search.

Mobile Point and Massacre Island dropped in the distance behind them. Before them, in the beautiful blue, glistening waters to the north and northwest, other islands came into view; dots of white sand and green trees that seemed to float on the dancing waves. Iberville sent Bienville to look for harborage in them from the south wind that was threatening another storm. Bienville returned after an unsuccessful search and the ships sailed on anxiously in the stiffening breeze. Other islands appeared in the northwest, and nearer, in the south, two flat, sandy surfaces. Iberville ran into these and found the shelter he needed. It was Candlemas day, and the islands received the name of Chandeleur Islands. In the morning, Bienville was again sent out to look for a harborage among the islands to the north and a pass between them. This time his search was successful. At daylight, Iberville, leading the way in the *Badine*, steered his fleet through the pass between the two islands and anchored safely in the harbor of Ship Island.

His men, freed at last from their long confinement on ship-board, spread themselves gladly over the small place, delighting in the rare abundance of fish and oysters. The live stock

was landed; the swine were put on the adjoining island, which the sailors named Cat Island, on account of the quantities of little animals upon it, which they took for cats. The little animals were really raccoons, and it is said that in a few years the swine destroyed them all.

QUESTIONS.

What was the condition of France at the time? What followed after the Peace of Ryswick? Who, besides Louis XIV, wanted Louisiana? Who was the Count de Pontchartrain? Who the Count de Maurepas? Who was Iberville? How many brothers had he? When were his most famous exploits performed? Whose plan was to be carried out? When did Iberville sail? Who sailed as midshipman under him? Who as lieutenant under Surgères? Relate the voyage to San Domingo? What did Iberville hear before sailing from France? Whom did he take with him as pilot? How did he steer across the gulf? What part of the Florida coast was first sighted? What had De Graff spoken of? What harbor was it? Why did Iberville conceal his designs from the Spaniards? For what point did he set sail? Why was the island named Massacre? How were Chandeleur Islands named? Why was Cat Island so named?

CHAPTER VI.

FRENCH EXPLORERS CONTINUED.

North of Ship Island, about twenty miles away, the low, scalloping shore line of the mainland could be seen, and upon it, with glasses, Iberville could distinguish the forms of Indians moving about. He lost no time in sailing over there in a sloop, well provided with presents for the Indians and well protected by a crew of Canadians. Bienville accompanied him in a canoe. Landing, they followed the tracks of the Indians, and came to where they could see canoes full of them busily crossing to and fro between Deer Island and Biloxi. At sight of the white men the natives abandoned their canoes and fled in terror. The Canadians pursued, but were

only able to come up with one of them, a poor old man who lay helpless on the beach, unable to move on account of a putrefying sore on his leg. He was moaning and shivering with cold and pain and seemed to expect instant death from the white men. The Canadians reassured him by signs, took him in their arms and carefully carried him higher up the beach—laid him on a buffalo skin and kindled a fire to warm him. They put a handsome present of tobacco near him, and, to show that they did not intend anything unfriendly, drew up the abandoned canoes of provisions on the beach and left them. A squaw, as old and almost as wretched as the man, seeing that the white men did nothing warlike, crept out of the woods where she had been hiding and watching, and joined the group. The Canadians withdrew and left them together.

During the night the old woman slipped away to carry the news and some of the tobacco to her tribe. In the morning the Canadians found a piteous spectacle; the fire had caught on the weeds and grasses around the old man, and the poor wretch lay half burned. The Canadians did what they could to ease his pains, but in a few moments he died.

The old squaw returned, bringing some of her tribe with her, and later in the day many more came slipping out of the forest to join in the smoking and feasting of the white men, and received some of the tobacco, hatchets, knives, beads and paint which Iberville distributed with a generous hand. He finally succeeded in gaining their good will and confidence sufficiently to induce three of the chiefs to go with him on a visit to the ships, Bienville and two Canadians being left behind as hostages.

Ship Island. 1699.—As the boats approached the ships the chiefs stood up and began to chant their peace songs. Their reception gratified their vanity exceedingly. Iberville had cannon shot off, and the ships put through their manœuvres and gave them a great feast with sagamity made with

prunes. He gave them, also, brandy to drink, which astonished them greatly, burning their stomachs so long after it was swallowed. But what excited their greatest wonder and admiration was the spy glass, by which they could see so far with one eye, while the other eye stayed at home. They examined everything on the floating houses, as they called the ships, with the greatest curiosity. They belonged to the Annochy and Biloxi tribes and lived on the Pascagoula river. They did not know anything of the Mississippi, nor of any of the tribes met by La Salle.

When Iberville returned with them to the mainland, he found Bienville making friends with a new set of Indians. These were a party of Bayougoulas and Mongoulachas warriors who were out on a hunt, but hearing the sound of cannon they had hastened to the seashore to find out what it was. Much to Iberville's gratification they lived on the banks of the Mississippi, which they called the Meschacebe, and knew the tribes met by La Salle. Iberville gave them a store of presents, among them a calumet or peace pipe, such as they had never seen before. It was of metal, shaped like a ship under full sail, flying the lily banner of France. The evening was passed in a great jollity, with singing and dancing and telling of stories around the camp fire. In the morning the warriors left to continue their hunt, promising to return in three days and guide Iberville by the little river they traveled on into the Mississippi. They were to light a fire at the camp on the seashore, as the signal of their return, and Iberville was to answer by a cannon shot. Iberville sailed back to his ships, elated. Once guided into the river, all that he had to do to accomplish his task, was to follow it to its mouth, fix the exact latitude and longitude, make his way to Ship Island, get his vessels and sail there.

Twenty-four hours later, a day too soon for the appointment, the signal fire was descried on the mainland. Iberville, with all haste, sailed over to the spot. But he found only

the forest ablaze from the fire ; not an Indian was to be seen. He returned disappointed to Ship Island.

Looking for the Mouth of the Mississippi.—The next day, however, he had another expedition ready to execute his first plan. Two sloops were manned with a good force of Canadians, sailors and filibusters,* and provided with ample supplies of ammunition and food for six weeks and each carrying a canoe in tow. Iberville commanded one, Sauvole the other. They sailed from the ships, and steered south, where in clear water low lying groups of bare, sandy islands could be seen.

In the Mississippi Delta.—It was Friday, the 27th of February. The wind was from the southeast, with rain and fog. The sea tossed restlessly. Running the length of the first island, the boats entered the strange scene of the Mississippi delta. Far as the eye could reach, islands small and great rose before them. Some standing high and dry, others rippled over by the slightest wave. Here the water broadened out into deep, handsome bays ; there it crested and curled into sheets of foam, over rising bottoms and sand bars. No vegetation was to be seen except willows and osiers. The men struggled with sail and oar to find a way through the watery maze ; consuming hours to get around one island only to find another blocking their path. Well tired out at night, they pitched their camp on the nearest dry land. They made now and then catches of fish and gathered oysters to add to their fare. The only game they saw was wild-cats ; great rough, red-furred animals. On Sunday such a furious storm broke over them that they could not leave their camp. The thunder pealed as they had never heard it before ; the lightning flashed fearfully ; the rain descended in torrents. The water rose until it stood two inches over the highest part of their island, and the waves swept it from end to end.

*The term filibuster is derived from "flibote," a small, fast sailing vessel used by the Dutch. It was applied to roving adventurers who formerly sailed the Gulf of Mexico in search of conquest and plunder.

<http://stores.ebay.com/Ancestry-Found>

The day was passed cutting osiers and piling them up to stand on, catching rain for drinking water, and during the showers hanging shivering over the smouldering fire to protect it.

Finding the Mississippi. Monday, March 2, 1699.—On Monday the weather permitted an early start. Steering always south and southeast, the sloops kept the irregular shore line to the right in view, so as not to pass any river that might be there. The northeast wind rose to a gale and the sea broke over the small barks. The canoes were taken up and shipped inside, and the men took turns holding their gummed cloths down over the deck by main strength, to keep the water from pouring in and swamping them. Tacking this way and that, first off the shore for fear of being beached, then on, for fear of being engulfed in the raging sea, the sloops fought their way along. For three hours they battled gallantly to double a rocky point that rose grim and threatening before them. The night was coming on. The bad weather showed no signs of abatement. Iberville saw before him no hope. He must either be wrecked ashore or perish at sea during the night. Determined to seize the one chance of daylight for himself and his men, he grasped the tiller, put his sloop about, and, with the wind full astern, drove her upon the rocks. The other sloops followed his example. But, to his wonder, as he approached, the rocks opened out before him and through the openings whitish muddy water gushed into the gulf. He steered into it, tasted it; it was fresh; the Mississippi was discovered!

The murderous rocks were only driftwood, piled in huge, fantastic shapes, covered with deposits of Mississippi mud, hardened into cement by sun and wind! They looked indeed like the palisades which made the Spaniards call the river the Palissado.

The boats advanced up the river until they came to a good camping place. Then landing, lighting their fires, and put-

ting their supper to cook, the men threw themselves upon the rushes and enjoyed the rest they had so richly earned.

It was the last Monday of the carnival; as the stars came out, and the savory fragrance of their homely repast stole upon the air, they could not help contrasting their day's work with the masquerading and frolicking of friends and relatives in the old world. And they exulted in the dangers they had run, and the brave success they had met, for, as Iberville said, it was a gallant task, discovering unknown shores in boats that were not large enough to keep to sea in a gale, and yet were too large to land on a shelving shore, where they touch and strand a mile out.

QUESTIONS.

What lay to the north of Ship Island? Relate what followed. Give episode of the old Indian. Describe the reception and entertainment of the Indians at Ship Island. To what tribe did they belong? Did they know anything of the Mississippi or of the Indians met by La Salle? What did Iberville find on his return to the mainland? To what tribe did these Indians belong? Where did they live? What did they promise Iberville? What followed? Continue with the start on Monday. What course did the boats pursue? Why? Describe the gale. Relate what followed. What were the murderous rocks at the mouth of the river? What had the Spaniards called the river? What day was it?

CHAPTER VII.

FRENCH EXPLORERS CONTINUED.

The next morning Mardi Gras, mass was celebrated, the Te Deum sung, and a cross and the arms of the king of France erected. The boats pushed off from the shore for the exploration of the river. Like De Soto and La Salle, Iberville gazed with awe at the mighty stream which rolled before him, whose currents bore down what appeared to be floating forests. The boats had hard work to make any head-

way with such a current against them; they needed a new wind for every turn, and could not make much use of their sails, and the men at the oars declared they rowed six miles to progress one. Their first day's journey ended at the little bayou named Mardi Gras for the day.

The low, grass covered banks began to rise higher and higher as they advanced. Instead of willows and sedges, oaks and magnolias and thickly grown forests gradually made their appearance.

Bienville, paddling ahead to reconnoitre, would sometimes startle up flocks of ducks and sarcelles; and sometimes deer, wild beeves, raccoons and opossums running along the bank, would tempt the Canadians into a hunt; and great was the rejoicing around the camp fire when fresh game was brought in to add to their larder. Several alligators were killed and the meat cooked, but it was not exactly enjoyed. Every afternoon when the camp was pitched the cannon was fired off to attract the attention of any Indians thereabouts, and Iberville would climb to the top of a tall tree to take observations of the new country about him. They saw no Indians until the fifth day, when turning a bend the explorers came upon two in a pirogue. But in a flash, they leaped to shore and disappeared in the woods. A gun shot further on, five pirogues full of Indians were seen. Iberville succeeded in speaking with them. These Indians belonged to the Annochy tribe, which lived, as we have seen, along the lake shores. They gladly traded their stores of dried meat to the Frenchmen. One old fellow in particular was most enterprising; spreading out his entire stock and sitting behind it in market style, bargained the whole of it—a hundred pounds—for two knives. The Annochys knew the Bayougoula hunters who were met by Iberville and they gave him a guide to their village.

Site of New Orleans.—That night the camp was pitched close to the spot selected by Bienville twenty years afterwards

for the site of New Orleans. Near by was a deserted Indian village formerly inhabited by the Quinipissas. It consisted of ten cabins, thatched with palmetto. On a tall point of the bank commanding the river, was a fortified oval shaped cabin, surrounded by a palisade. A few miles higher up the guide conducted Iberville to the portage used by the Indians in their journeys between the river and the lakes. Taking their pirogues out of the river, they had only to drag them over a short road to launch them into a bayou that ran into the lake. Both banks of the river in this locality were covered with canebrakes of enormous height and thickness.

At the mouth of a bayou on the west bank, which seems to have been our present Lafourche, two large pirogues of Ouachas and Bayougoulas were met. As soon as the Bayougoulas heard that the French intended visiting their village, they turned back in their pirogues to announce the news, so that a reception could be prepared. The next day, when the boats arrived in sight of the landing, a pirogue of Bayougoula and Mongoulacha warriors came out to meet them, chanting peace songs and brandishing their calumets, gaily adorned with brilliant feathers. At the landing the white men, according to Indian notions of politeness, were tenderly helped from their boats, supported under their elbows, and conducted to where the chief sat, surrounded by the squaws and warriors of the united Bayougoula and Mongoulacha tribes. Mats of cane and skins were spread on the ground in a cleared space for the guests. In the centre, resting on two forked sticks, guarded by two warriors who never took their eyes from it, was the precious calumet presented by Iberville on the lake shore.

Traces of Tonty.—The chief, a man of great pride and dignity, wore a coat of blue French serge. Iberville's first question was to find out where it came from. The chief answered that it had been given him by Tonty, of the Iron Hand, who had paid his tribe a visit in passing along

the river. The next day, when Iberville went over to the village, a few miles inland from the river, he discovered among the treasures of the temple a glass bottle, which the Iron Hand had also left in the tribe.

The Bayougoulas and Mongoulachas. 1699.—The village of the Bayougoulas and Mongoulachas resembled almost identically that of the Tensas. There were only one hundred and fifty inhabitants in the village, a great many having died off in a recent epidemic. The cabins were cleanly kept. The bed frames, about two feet above the ground, had bark-covered branches the size of a man's arm, laid close together for mattresses, cane mats for sheets, and skins for covering. The only other furniture was earthen pots which the women made very nicely. The women tied their hair high on top of their heads and wore girdles of cloth woven from the fibres of trees, colored red and white and fringed with long cords that fell to the knee and shook with every movement of the body. The little girls wore girdles of moss. The men went naked except on grand occasions, when they tied around them a kind of sash made of feathers strung together and weighted at the ends with bits of stone or metal, which jangled and tinkled gaily when they danced. The warriors were handsome, well made and active, but very lazy. The fields for corn and pumpkin were small, and were tilled with implements of bone. When the crops were gathered they were used as play grounds by the tribes. There were a few chickens in the tribe which were said to have come from tribes in the far west, evidently from some of the Spanish possessions. The dead, wrapped in straw mats, were placed on little conical, covered platforms, raised all around the village, attracting great crowds of buzzards and disseminating loathsome odors.

The tribe regarded the opossum with particular veneration, but the French found it only a hideous combination of

ugliness, with its pig's head, rat's tail, badger's skin and pouched stomach.

To requite the hospitality and friendliness of these Indians, Iberville spread upon the ground before them a dazzling array of presents—scarlet doublets embroidered in gold, scarlet hose, blankets, shirts, mirrors, beads, hatchets and knives. The Indians gave also of their best in return; feasts and entertainments, abundant supplies of corn and twelve large dressed deer skins.

From accounts that he had of La Salle's Mississippi exploration, Iberville understood that there was a fork about here in the river. His plan was to return to the gulf by this fork. But when he questioned the Bayougoulas they denied that there was any fork in the river, and said that when Tonty went to rescue La Salle he had paddled the same way both up and down the Mississippi. Fearing that the Bayougoulas might be deceiving him and concealing one of the outlets of the Mississippi, Iberville decided to go on to the next tribe, the Houmas, and interview them. One of the Bayougoula chiefs and a party of warriors accompanied him as guides and introducers to the Houmas.

Manchac.—On the way the Bayougoula chief pointed out on the right a small stream, which he said was the only stream he knew that ran from the Mississippi into the gulf. It was called Ascantia, now Bayou Iberville or Manchac. Some miles further on, on the east bank, they came to a small river celebrated for its fish, that formed the boundary line between the hunting grounds of the Houmas and the Bayougoulas.

Baton Rouge.—Here Iberville saw a tall, straight pole; painted red and hung with offerings of fish and game by the Indian hunters. The Frenchmen called it a "Baton Rouge," and thus named the spot afterwards to become the capital of Louisiana.

Pointe Coupee.—The next day the chief pointed to a tiny stream running into the river on the left, and said if the boats could only get through it, they would cut off a whole day's journey. Iberville was not the man to be stopped by an "if." He put his Canadians at once to work. A huge drift pile was cut away, the bottom of the stream was deepened and cleared, and the boats were slowly towed through and launched into the Mississippi, just eighteen miles above the point where they had left it. The Mississippi in course of time adopted this cut-off also, and in a few years abandoned its old channel entirely for it.

The Houmas. 1699.—The Houmas' reception was even more cordial than that of the Bayougoulas and Mongoulachas. A delegation of them were waiting to welcome Iberville at their landing, and there was no end to their ceremonies and professions of friendship. Iberville, who did not smoke, complained of the number of times he had to smoke the calumet. When the ceremony was at last over, the officers and the delegation set out for the Houma village, some eight miles inland. The Indians kept up their peace songs all the way, leading their guests up and down hill, through canebrakes and swamps, at such a pace that the heavily clad Frenchmen were severely tasked to follow them. -

At the entrance to the village the chiefs and principal warriors advanced, brandishing crosses made of white wood. All assembled in the open space in the centre of the village, where presents were exhibited, speeches made, more calumets smoked, and a great feast served. In the afternoon the handsomest of the young warriors and squaws, in all their finery of paints, feathers and jingling girdles, bounded from behind the trees and danced until late in the evening, to an orchestra of gourd rattles.*

Then all adjourned to the great cabin of the chief, where, lighted by huge blazing fagots of cane, the frolic was kept

* Called Chichiconchy, made of hollow gourds with pebbles inside.

up till midnight. The French officers retired to the couches prepared for them, but not to sleep, for the chiefs harangued one another with interminable addresses until daylight.

The Houma village was large and well built, like that of the Bayougoulas, but the tribe had also been very much thinned by a recent epidemic. They knew Tonty, who had passed several days with them, leaving his boats at the same landing where Iberville left his. But they said also that they knew of no fork in the river. Thinking that, like the Bayougoulas, they might have some reason for deceiving him, Iberville determined to bring his visit to an end and hurry on to the Tensas and question them. Some of the Houmas and a Tensas Indian visitor consented to go with him.

Turning Point. 1699.—The boats pushed away from the landing; the oarsmen showing fatigue and discouragement after their long, hard pull up the river, on no better rations than sagamity with an occasional treat of dried beef. Stopping for dinner, Iberville cross-examined all the Indians again, separately, about the fork in the river. They all agreed that the Mississippi flowed without a break to the gulf and that La Salle and Tonty had never traveled but one way to the gulf and back. He was forced to believe them. The Bayougoula chief, to prove his veracity, confessed to Iberville that Tonty had left a letter in his tribe to be delivered to a Frenchman, who was to come up from the sea (evidently meaning La Salle). The letter had been kept a secret from Iberville out of the suspiciousness and distrust natural to the Indian in treating with the white man.

As he was pushed both for time and provisions, Iberville concluded that a further journey would be unwise and useless. He gave the orders; the boats were turned around.

Rowing down stream, the men easily put mile after mile behind them. Arrived at the bayou called Ascantia, Iberville decided to go through it to the gulf. He left Sauvole in command of the expedition, and charged Bienville to obtain

at any price Tonty's letter from the Bayougoula village; and with two canoes, four Canadians and an Indian guide, he pushed his way through the tangled opening of what was called henceforth Bayou Iberville.

Bayou Iberville. 1699.—It proved to be but ten feet wide and three feet deep at most, and so choked up as to be almost impassable for even a pirogue. The first day they traveled twenty-one miles and made fifty portages over fallen trees and rafts. After a few days the Indian guide deserted. Iberville continued without him, resolved to show the natives that he was not dependent upon them. Then one of the Canadians fell ill, and Iberville had to take his place, not only in paddling the pirogue, but in carrying an end of it over the portages. He noted with delight the beautiful country through which the Ascantia flowed. He said it was one of the finest he had ever seen—rich soil, handsome forests, and no canebrakes. The river was filled with fish, and alligators were so thick in it that at times he seemed to be paddling through a solid mass of them. He heard wild turkeys in quantities, but he did not succeed in killing any.

The first lake he came to he named after his young protector, the count de Maurepas; the second after the count de Pontchartrain.

Camping at night on the low grassy points or islands around the lakes, he made acquaintance with those pests of hunters and fishermen, mosquitoes; "terrible little animals," he calls them, "to men in need of rest."

Traveling from twenty to thirty-six miles a day, he soon came to the shores opposite Ship Island. He crossed over and mounted the deck of the *Badine*, just one month and two hours after he had started on his expedition. Eight hours later Sauvole and Bienville were seen speeding their way across the gulf.

Bienville brought the precious letter left by Tonty. He had bought it for a hatchet. It was addressed to M. de la

Salle, Governor General of Louisiana, and contained the account of the loyal pioneer's efforts to rescue his friend. He said he had found the cross erected by La Salle eight years before, lying half buried in the sand, and had set it up again twenty-one miles higher up the river. He had left another letter for De La Salle concealed in the hollow of a tree near the cross. As we have seen, no cross was found by the Iberville expedition, either going up or coming down the river; it had disappeared, and with it all clue to the other letter.

QUESTIONS.

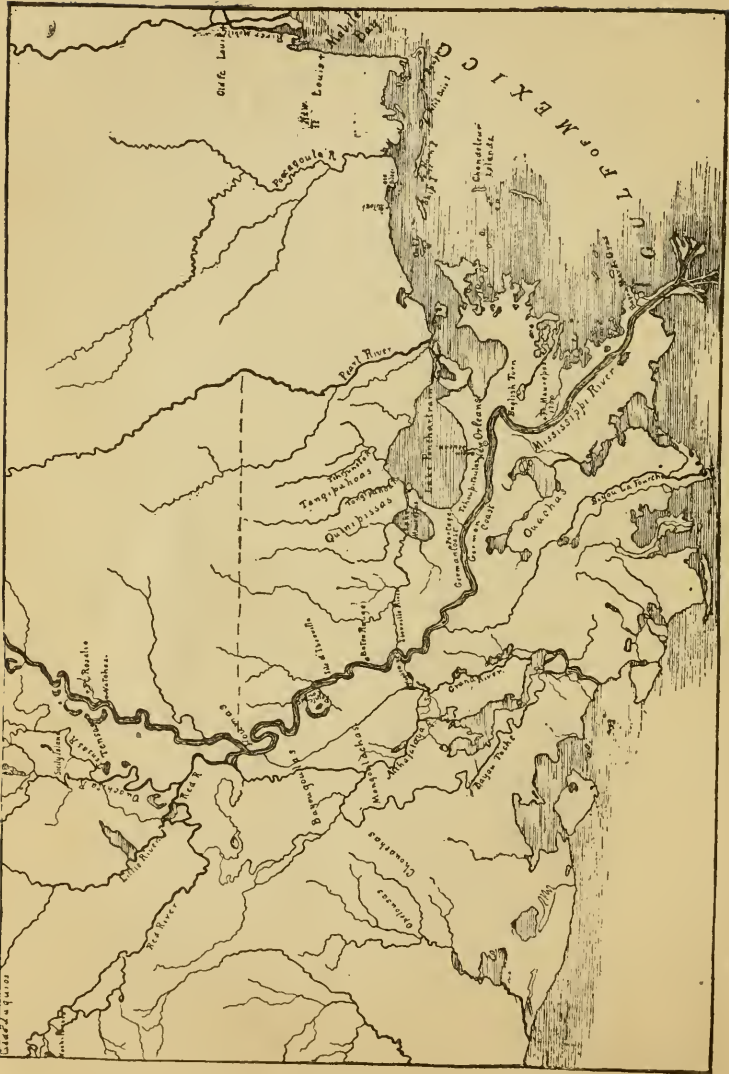
What took place Mardi Gras morning? Account of journey up the river? The meeting with the Indians? Where did the French camp that night? What of the portage? Describe arrival and reception at Bayougoula and Mongoulacha landing? What did the chief wear? What was this trip of Tonty's? Describe Bayougoula and Mongoulacha village? What of the Ascantia? Relate origin of the name of Baton Rouge? What about Pointe Coupee? Describe Houma reception? Welcome of French? Did the Houmas know of the fork in the river? What did Iberville do at noon? What did Mongoulacha chief confess? What did Iberville conclude? What did he decide about the Ascantia? What was the Ascantia henceforth called? When did he arrive at his ships? What did Bienville bring?

FRENCH DOMINATION.

CHAPTER VIII.

ESTABLISHMENT.

Iberville had intended to take possession of the mouth of the river by making an establishment there. But now, with time and provisions running short, he saw that he must select some spot nearer Ship Island and his vessels. His choice lay between a site on Lake Pontchartrain; the mouth of the



MAP SHOWING FRENCH SETTLEMENTS ON THE GULF COAST AND MISSISSIPPI RIVER.

Pascagoula river, and the Bay of Biloxi. The advantages of the last were found so superior to those offered by the other two places that he decided in favor of it.

The spot selected for the fort was on the highest point of the rising ground on the eastern shore of the bay. Work was commenced upon it immediately. Trees were cut, a space cleared and the fort laid out. The barges and small boats plied incessantly between it and the ships, fetching over the supplies of tools, implements, provisions, arms and ammunition, and the details of workmen drawn from the crews. The logs for the bastions and stockades were cut a mile and a half away and boated to the building. Corn and peas were sown in the clearings. In six weeks enough was completed to justify Iberville's leaving for France. He put the Sieur de Sauvole in command, and Bien-ville second in command under him. Then taking with him only the men and provisions necessary for his own ships, he sailed for France.

Sauvole vigorously carried on the work left him to do. He finished the fort, maintained discipline among his men, and made friends with his Indian neighbors. Almost every week brought a visit from some of them, prompted by curiosity or greed.

The first to make an appearance was their old acquaintance, Autobiscania, the Bayougoula chief, with a party of his warriors. They were received with military honors, which duly terrified them, as was intended; but the presents reassured them, particularly the shirts, which to their great delight were fitted upon them. They looked with wonder at the fort, astonished that the French could get together and pile up such a number of great logs in so short a space of time. All went well until the sentinel came at nightfall to get the watchword from the sergeant. The whisperings threw the Indians into lively fears of treachery, out of which Sauvole had to calm and soothe them.

At daylight they confessed that their wives were on the side of the bay, and they would also like to see the fort. Permission being given, the savage dames were sent for. They landed; Autobiscania, anxious that the show should be equal to female expectations, made signs to Sauvole to put his men under arms, and ran himself to hunt up the drummer. The visit terminated to the satisfaction of all.

Bienville's Explorations.—After Iberville's departure from Biloxi, while Sauvole was regulating the affairs of the fort, Bienville proceeded to make acquaintance with the natives and country about him. He visited the Quinipissas, who lived on the shores of Lake Maurepas, and sought out the villages of the Mactobys, Biloxis, and Pascagoulas along the Pascagoula river. From there he went to Mobile Bay again and explored it, and made a reconnoissance on foot of Pensacola and its surroundings. On his return to Biloxi, he, with two pirogues and five Indians, set out once more to retrace Iberville's journey through the lakes and Bayou Iberville into the Mississippi, and to explore Bayou Plaquemine. But he found the Indians living on Bayou Plaquemine, the Ouachas, Chouachas and Opelousas, so ferocious and menacing that he was glad to beat a retreat to the Mississippi again.

Paddling his way confidently along to within twenty-three miles of its mouth, he rounded a bend and was arrested by a sight which startled and transfixed him. A corvette lay anchored mid-stream before him. He sent his companion pirogue forward to speak the vessel. It proved to be English. Bienville then advanced and went aboard. The captain, named Banks, turned out to be one of Iberville's old Hudson Bay prisoners, and therefore an acquaintance of Bienville's. The ship belonged to the expedition of which Iberville had heard, and for which he had been so anxiously on the look-out. It was one of three vessels loaded with emigrants which had sailed from England to make an estab-

lishment on the banks of the Mississippi about the very time that Iberville, with his squadron, sailed from France. They had passed the winter in Carolina, where the greatest number of colonists, pleased with the climate, had chosen to remain. One ship had returned to England, leaving the other two to pursue the search for the mouth of the Mississippi. The captain said they had cruised fruitlessly for thirty leagues round about, when he found this stream and entered it. As it was the only large stream he had discovered in his cruise on that shore, he doubted not that it was the Mississippi. Bienville convinced him that the river and country were in the possession of the King of France, who had force sufficient at hand to protect his rights. He had the satisfaction of seeing the captain raise anchor and head the corvette down stream. "The English Turn" in the Mississippi still commemorates the bend in the river where the young lieutenant and his five Canadians obtained this triumph over the Englishman.

Return of Iberville.—Iberville returned shortly after the new year, 1700. He brought with him supplies of money, provisions and reinforcements of men, among them sixty tried Canadians, who had been with him in Hudson Bay. His seventeen-year-old brother, Chateauguay, accompanied him, and his relations the *Sieur de Boisbriant*, and the famous pioneer, *Juchereau de St. Denis*; a noted geologist, the *Sieur Le Sueur*, came over also with men and means to develop certain copper mines that were said to be in the upper Mississippi country.

Iberville stayed only long enough at Biloxi to get an expedition ready to build a fort on the Mississippi, which the visit of the English captain warned him to be necessary. During the search for a proper situation, Iberville coming to the deserted village of the *Quinipissas*, made a planting of sugar cane there from seed he had brought from *St. Domingo*. But the seed, already yellow and sour, came to naught.

Fort Maurepas. 1700.—The location selected for the fort was on the left bank of the river, about fifty-four miles above its mouth. A strong log building twenty-eight feet square was put upon it; and a powder magazine, five feet above the ground, well banked with earth. During the building a pirogue of Canadians came down the river and stopped at the landing. Iberville greeted the leader, Tonty, "the Iron Hand," with warm welcome. The loyal man had heard of the French settlement and had traveled down the river to offer his services. Iberville gladly accepted them, for an exploration he wished to make into the Red river country, to find out the number of tribes of Indians living there, and the exact limit of the Spanish possessions. They set out at once. Stopping at the Houmas on their way up the river, Iberville gave them some apple, orange and cotton seed to plant. Louisiana thus owes to him the first plantings of her two great staples.

The Natchez. 1700.—At the Natchez landing Iberville despatched a messenger to announce his presence to the Natchez chief. The chief responded by sending his brother, escorted by twenty-five men, with the calumet of peace and an invitation to the village. Climbing to the summit of the steep bluff, covered with magnificent forest trees, Iberville gazed with joy upon the beautiful rural landscape. "It was a country," he says, "of plains and prairies, filled with little hills and groves of trees, with roads intercrossing from village to village, and from cabin to cabin—a country resembling France not a little." Half way to the village the chief appeared, ceremoniously advancing, surrounded by his body guard—twenty large, well made men.

The village differed from the other villages visited only in being handsomer and better built. The cabin of the chief stood on a spacious mound ten feet high. Facing it was the temple; around stood the cabins, enclosing a handsome open space. A small running stream near by furnished the water.

The Natchez were the most enlightened and civilized of the Mississippi river Indians. They worshipped the sun, and their chief was called after their deity the Great Sun; his brothers the Little Suns. The government was an absolute despotism. The Great Sun was master of the labor, property and lives of his subjects. He never worked. When he wanted provisions he sent out biddings to a great feast, and the invited were required to attend, bringing sufficient supplies for the entertainment and for the after support of the royal family. None were allowed to approach him without observing an elaborate deferential ceremony. He selected his servants from the most noted families, and when he died these servants were strangled to death, to accompany him to the next world. When an heir was born, each family that had a new-born infant appeared with it in the royal presence and a certain number were selected to be his attendants. If the heir died, all thus chosen, were strangled. The chieftainship was hereditary, but it was not the son of the Great Sun, but the son of his nearest sister or nearest female relative, who succeeded to the government. The royal princesses were not allowed to marry in the royal family, but were forced to take their husbands from the common tribe. No women except the mother and sisters of the Great Sun, were ever allowed to enter the temple.

The Tensas. 1700.—The Indian guides all advised Iberville and Tonty not to attempt to go up Red river, which was much rafted and difficult of navigation. They persisted that the easiest and best way of getting into the Red river lands was by going up above Red river and striking across the country from the great Tensas village. The advice seemed reasonable, and it was followed. Iberville, with his party, paddled up to the Tensas landing and made their way on foot through the woods to Lake Tensas, where they found pirogues for the rest of the journey. They were well received by the Tensas, but during the night were witnesses of

such a scene of barbarity as turned their hearts from the tribe. A terrific storm broke out. Lightning struck the temple, setting it on fire. In a few moments it was entirely consumed. The Indian priest, or "medicine man," as he was called, attributed the disaster to the wrath of their god, because after the recent death of the great chief the tribe had not made the human sacrifices demanded of their faith.

Standing by the furious flames, with the storm raging about him, he called out repeatedly in a loud, commanding voice: "Women, bring your children and offer them in sacrifice to the Great Spirit to appease him!" Five squaws responded, and five papooses, strapped in their swaddling clothes, were thrown into the heart of the burning pile. Proud of his victory over them, the priest led the unnatural mothers in triumph to the cabin of the new chief, where all the village assembled to praise, caress, and do them honor. A painful trouble in his right knee prevented Iberville, at the last moment, from leading the exploration into the Red river country. He turned the command over to Bienville and journeyed back to Fort Maurepas. On his arrival he fell very ill of fever, which kept him for some time from proceeding to Ship Island, where quite a notable event was happening to enliven the monotony of the officers' lives. .

Visit from the Spaniards. 1700.—De la Riola, governor of Pensacola, came in all the panoply of his power with three armed vessels and several hundred men to protest against the French settling in a country which he claimed belonged to the King of Spain. The French, no ways intimidated by the Spaniard's pomp and arrogance, determined to make as brave a show as he. During the four days of his visit all traces of sickness and privation were carefully hidden; men and officers wore their gala uniforms; wine flowed and banquets were served with reckless prodigality and the fort and garrison kept up one continual round of gaiety and frolic. De la Riola sailed away as majestically as he

came, but was very much impressed with the abundance and stability of the new French establishment. He was soon to be still more impressed with it.

Seven days afterwards the officers at Ship Island saw an open boat approaching from the sea, with figures of men in distress in it. They proved to be the stately Spanish commander and his officers, naked and famishing. A gale in the night had struck their squadron shortly after leaving Biloxi, and every vessel had been wrecked on Chandeleur Islands; they had not had time even to clothe themselves, and for five days had only had a small bit of chocolate to eat and nothing but sea water to drink.

Again the French proved themselves equal to the occasion. Messengers were despatched with the news to Pensacola; boats were sent to rescue the miserable crews perishing on the exposed sand bars; food, drink and clothing were prepared. De la Riola was equipped from tip to toe out of Iberville's wardrobe; the officers were supplied by the other French officers, and French boats conveyed them all to Pensacola.

QUESTIONS.

Where did Iberville intend to make his settlement? What of Sauvole after Iberville's departure? What of Bienville? What Indians lived on Bayou Plaquemine? Give the meeting with the English vessel? What commemorates the circumstance? When did Iberville return? Who accompanied him? What was his next expedition? What of Fort Maurepas? Planting of cane? What expedition did Iberville and Tonty undertake? What seed did Iberville give the Houmas? Describe Natchez village and the Natchez? Give an account of Spanish commander's visit?

CHAPTER IX.

FURTHER ESTABLISHMENT.

Bienville left the Tensas village with his party; twenty-two Canadians, with six Tensas and one Ouachita for guides. It was early March, the severe winter still lingered, and the country was beginning to overflow from rising water. Not only was every little bayou swollen into a rushing stream, but great tracts of land lay under the water from knee to breast deep; in many places over the head. As they had no pirogues they crossed on foot-logs when they could find them (they were generally hidden under water), and sometimes they would fell a tree for a bridge. But most of the times they swam or waded across, pushing their clothes before them on rafts; always firing off their guns first, to scare away the alligators. Bienville was only of medium height, so he was at a great disadvantage, and many times had to swim, when his companions simply waded. The water was icy cold and the Indians soon turned back, saying they did not like walking naked all day in cold water. At night the camp was pitched on any dry spot to be found. Sometimes the travelers would come to a good hunting place and a day would be given up to supplying their bags with game; but days would often pass when all the meals consisted only of sagamity. They would make from ten to twelve miles a day, crossing from six to a dozen bayous and swamps. Hardy as the Canadians were, many of them fell ill from the hardships and exposure. Often in the water they would be seized with chills and cramps, and were forced to climb trees and stay in the branches until they recovered. Once four men thus passed a whole day in the trees until rafts were sent to fetch them away. To add to their discomfort rain set in, and every day drenching showers would again and again wet them to the skin. But Bienville says they never stopped sing-

ing and laughing, to show the Indians they met that Frenchmen, unlike Spaniards, did not mind such fatigue. They met only a few Indians journeying to get out of the high water, or carrying salt from the salt springs in the Ouachita country to sell to the Indians along the Mississippi.

They came to Red river, but found most of the villages inundated and abandoned. What Indians remained were living on rafts and scaffoldings, and their supplies of corn were too meagre for the French to buy any.

Bienville visited some villages of the Natchitoches, Sou-chitionis, Nakasas, and Yataches, living above the water, and there he met some Caddodaquious Indians. They gave him so discouraging an account of the road and distance to their village that Bienville decided not to push his sick, disabled and half-starved men any further to get there. Procuring pirogues, he brought them down Red river to the Mississippi.* On his arrival at the settlement, Iberville put him in command of Fort Maurepas and sailed to France.

Fort Maurepas. 1700.—Bienville took up his position at Fort Maurepas, which soon, with its fields of corn and vegetables, formed a bright picture on the banks of the great, savage river. Canadian *coueurs de bois* learned the way down there from the north and west; and every now and then bands of them would paddle up to the landing, their pirogues almost sinking under the heavy loads of peltry, dried meat and bears' grease; the sombre forests resounding with the echoes of their loud frolicking. More quietly and humbly, missionaries, who had already begun to establish themselves along the Mississippi, would come, with a few attendants only and Indian guides, to the new settlement of their faith and country to greet their compatriots and get tidings from France.

* Juchereau de St. Denis the following year explored the same country as far as the Caddodaquious; and a few years afterward founded a post at Natchitoches. St Denis' attempts to open an overland trade from the French colony to Mexico led to a series of romantic and thrilling adventures of which he was a most interesting hero. St. Denis may be called the father of the Natchitoches country.

Biloxi. 1700.—At Biloxi Sauvole struggled through trying experiences. The Canadian settlers proved themselves unruly under discipline; they liked no work but hunting and fighting, and were much given to drinking, saving up their daily allowance of spirits until they accumulated enough to get intoxicated. Then the Indian visitors came in such numbers that he was hard pressed to give them the food and presents they expected, and without which they might turn into enemies; in addition to this, great pirogues of Canadians would come to Biloxi from Fort Maurepas, and they would quarter themselves on the garrison until asked to leave. The ship of supplies promised from France did not arrive. Sauvole had to send to St. Domingo and buy the necessaries of life. There was a drought which killed all vegetation and dried up all the springs. This was followed by a season of great rain. Fever broke out and soon became epidemic. Soldiers and Canadians died in numbers.

Death of Sauvole. August, 1701.—The gallant young commander himself was stricken with it and died in August, 1701, leaving his uncompleted journal for a record of his faithfulness and conscientiousness in duty. At the news of his death, Bienville hastened over from Fort Maurepas to Biloxi and took command.

Arrival of Iberville. 1701.—In December, couriers from Pensacola brought news of Iberville's arrival at that port, accompanied by De Serigny, his brother, a mariner of great repute in the royal navy. He was unable to move from Pensacola, being confined to his bed with an abscess in his side, which caused him great suffering, and for which he had been operated on ship-board. The fever which he had caught on the Mississippi had continued in France, almost causing his death there, and preventing his return sooner to the colony with the supplies he had promised.

Impressed with the necessity of a port directly on the gulf coast as a protection to his position on the Mississippi, and

still unreconciled to the possession of Pensacola by the Spaniards, Iberville had, during his long stay in France, endeavored to procure its cession from Spain. He wrote an able paper to the court of Spain on the subject, assuming as warrant for his presumption the new and near relations between the thrones of France and Spain (the grandson of the king of France being heir to the throne of the king of Spain). The paper was submitted to the Spanish Junto, or council of state, who, far from approving his designs, warned him, as an interloper, off the coast which they claimed still as Spanish.

Iberville's answer to this was the determination to settle Mobile: That would give France a close and definite boundary line on the east against the Spaniards, assure her of the possession of the Mobile river, the next important stream of the country after the Mississippi, and secure to her the continuous stretch of Gulf Coast all the way to La Salle's western limit, Matagorda Bay. Without loss of time, he sent orders to Bienville to transport the colony from Biloxi to Mobile.

Mobile, 1702.—The new fort, named Fort St. Louis de la Mobile, was to be situated on the right bank of the Mobile river, about fifty miles above its mouth. The work of removal from Biloxi was pushed forward vigorously. De Serigny brought over from Pensacola, his ship laden with the supplies for the colony, and all the small boats and men to be spared from Iberville's ship. Tents were erected on Massacre Island for the storage of freight until flat-boats could be built to convey it across the bay and up the river. As soon as Iberville was well enough to come to Mobile and superintend the work, Bienville was sent out to establish relations with the tribes of the country round about. On the island at the mouth of the Mobile he found only deserted habitations, and on one of them the carefully hidden gods of one of the vanished tribes. They were rude figures of men and animals, which the Indian guides would only approach by

walking backwards, and which they warned Bienville not to touch on pain of death.

Bienville, to the Indians' astonishment, carried them without suffering any disaster to Iberville, who examined them and pronounced them relics of some of the old Spanish explorers.

Eighteen miles above the fort were the Mobile Indians, the descendants of the fierce warriors who had given De Soto so warm a reception. Six miles above the Mobiles lived the Tohomés, a small but industrious tribe, whose corn crops often stood between the French garrison and hunger. On the Alabama river were the Alabamas, a fighting, refractory tribe, whose warriors were ever on the war path against their neighbors, white and red. On the Apalachicola river were the Apalaches, or Conchaques; a peaceful tribe subdued to the Spaniards, but suffering such ravages from the inroads of the Indians incited by the English of Carolina that they soon moved into the neighborhood of the French for protection. To the northwest, between the Tombigbee and the Mississippi, was the territory of the Choctaws, the largest and most powerful tribe of the region. Cunning, brave and well skilled in their savage warfare, they formed the great safeguard of the French against the vindictive and unconquerable Chickasaws. The lands of this celebrated tribe lay to the north of the Choctaw, between the French and English possessions, and the French found them in course of time more redoubtable foes than the English themselves.

It was with great satisfaction that during the building of the fort Iberville received forerunners from Tonty, announcing his speedy arrival, with chiefs from both these important tribes. A grand reception was at once prepared, and presents selected. These were exposed in full view; two hundred pounds of powder, the same quantity of balls and bird shot, twelve guns, a hundred hatchets, fifty knives, a number

of cauldrons, and quantities of small articles, such as beads, flints, awls, etc. With so tempting an array spread before them, the chiefs smoked all the calumets and made all the treaties desired by Iberville, and departed from the fort well promised to France and laden with booty.

Mobile. 1702.—Iberville sailed away from his anchorage at Massacre Island on the last day of March, 1702; neither his brother nor his colony ever saw him again.*

QUESTIONS.

Describe Bienville's expedition. What of the Indians he met? Did he go to the Caddoquious? What of life at Fort Maurepas? When did Sauvole die? What followed? What news came from Pensacola? Who accompanied Iberville? Describe the removal from Biloxi. What was the new fort named and where situated? Give an account of the Indians of the Alabama country.

CHAPTER X.

MOBILE. 1702-1711.

Mobile. 1702-1711.—Bienville was left in command. The charge committed to him by Iberville was no light one. He was not only to maintain himself in his present position, but with his handful of men to hold Iberville's great grasp of country, with the mouth of the Mississippi, firm to the crown of France. The Spaniards to the east and the English to the north were to be kept in check, and all the warring, restless savage tribes under him to be fastened together in tractable submission to his authority and armed into an efficient force to oppose against the colonies of France's rivals.

*The gallant Canadian died of yellow fever at Havana, in 1706, four years later. His last effort at arms, like his first, was against the English. He was preparing, with a large armament, to attack the British islands in the Antilles and their settlements on the Carolina coast. Landing at Havana for reinforcements of Spaniards and filibusters, he was attacked by the prevailing epidemic, and died. Iberville had advanced large sums to the government for Louisiana, so left little to his widow and children. His widow afterward married a French nobleman, the count de Bethune.

Let us give a glance at the life and character of the twenty-two-year-old governor.

Jean Baptiste Le Moyne Sieur de Bienville was the ninth son of his father and the sixth brother of Iberville. Left



BIENVILLE.

an orphan when a child, he lived with his eldest brother, the Baron de Longueuil, in the chateau de Longueuil, near Montreal. At fourteen he followed Iberville to sea, and before he was eighteen had taken part in all the thrilling dangers of the struggles in Hudson Bay. Quiet, gentle and reserved, he yet possessed an indomitable will and inflexible courage; well proven in the course of this history. Even at an early age he knew how to gain a powerful influence

over his friends and men under his command. The Canadians were ever devoted to him, and formed an unfaltering clan behind him, ready for any service of offence or defence. The Indians respected and revered him and called him father. He knew the Indians, indeed, as few white men ever knew them, and in his dealings with them acted with a judgment which they never questioned. He boasted that he never broke his word to them, always conformed to their manners and customs, and talked to each tribe in its own dialect. In Canada, he spoke with ease the language of the natives, and on his arrival in Louisiana he acquired the dialect of every tribe with which he came in contact, a capital of infinite advantage to him in his after career.

Fort Louis de la Mobile. 1702.—With all its dependences, the fort was soon completed. Standing eminent on the bank of the river it was an imposing edifice for the times in that wild country. It measured three hundred and sixty feet square, and held at each corner a battery of six guns. Inside were a chapel, the guard house, officers' lodgings and a parade ground. The barracks for the soldiers and Canadians were outside, some fifty paces to the left, on the bank of the river. Later, also, on the left of the fort, a residence for the priest was erected.

The Indians from all the neighboring country flocked to sate their wonder at the marvelous structure, always leaving loaded down with presents and well impressed with the power and wealth of the French. The Spaniards from Pensacola came also as often as the Indians; and Bienville claimed that these neighbors were even more costly to him than the Indians. Pensacola seemed always in a state of famine, the supply ships from Vera Cruz being ever delayed or lost at sea, and hardly a week passed that a boat was not sent to Mobile to borrow provisions. As Bienville complained, the Spaniards would many a time have been forced by starvation to abandon their settlement, if he had not kept them up from his scant stores, not daring to refuse on account of the new alliance and kinship between the French and Spanish monarchs.

War with England.—The war* declared by England against France and Spain, on account of this very kinship, made itself felt before he was firmly established in his fort. Indian war parties, equipped by the English, in Carolina, over and over again ravaged the corn fields and burned the villages of the Indians of Florida, and attacked the Indians in the French territory, while an English fleet, hovering in the gulf, kept the seaboard from St. Augustine to Mobile in a constant state of alarm.

* War of the Spanish Succession, 1700, over the succession of the grandson of Louis XIV to the throne of Spain. England, Germany, Holland, Portugal and Prussia opposed this aggrandizement of the royal house of France.

Bienville flew to the rescue of his Indian allies, distributing arms and ammunition to their warriors, and equipping them into equality with the English Indians. The flying bands of Apalaches were received and settled along Mobile river.* The Spaniards at Pensacola, instead of assisting him in these crises, only increased his burdens. As ill provided with munitions of war as with provisions, they knew no better means of defence, when threatened, than to shut themselves in their strongholds and send appeals to Bienville, and he was forced to respond with men, arms and boats.

Indian Troubles.—And along the Mississippi, wherever English traders could insinuate themselves in the Indian tribes, the savages would break into revolt, and the tomahawk would be raised to spread destruction and carnage up and down the river. The humble, pious missionaries and their attendants were always the first victims. And almost as often Spanish barks, long pointed pirogues, from the river countries would come flying across the gulf bearing news of assassination and murder, and fetching a load of wounded praying for protection and medical help.

So, one day came good father Davion,† fleeing from the Tunicas, telling the story of the murder of the aged priest Foucault and his attendants, by their Coroas‡ guides, as they were peacefully descending the river to visit Mobile; and so, later, Father Gravier§ arrived, his arm pierced with five arrow-heads, shot by the Indians of his mission on the Illinois.

* Here, under the spiritual charge of M. Huvé, they built themselves a church, and became so edifying a religious example that the colonists used to jaunt out on Sundays and feast-days to see them perform their devotions and hear them sing the Latin hymns.

† Father Davion had originally settled at Natchez, but making no converts, he went to the Tunicas, and erected a cross on the highest bluff, where he said mass every morning. The bluff was called Roche a Davion until 1764, when it became known as Loftus Heights, and afterwards and ever since as Fort Adams.—*Clairborne's Mississippi*.

‡ Nicholas Foucault had a mission among the Arkansas, where he had accomplished much good, when, in 1702, he set out for Mobile with three attendants and two Coroas guides. The guides killed them for the plunder of their luggage.

§ Father Gravier, a Jesuit, had succeeded to the mission at Kaskaskia, among the Illinois, continued by Allouez after the death of Marquette. He was appointed Vicar General by the Bishop of Quebec. An accomplished as well as a devoted priest, he has left valuable descriptions of the Indians and early settlements by the French. He was always an earnest friend of Bienville.

War with the Alabamas. 1702.—Bienville intrusted the punishment of the Coroas to the Arkansás, who gladly undertook it, while he prepared to inflict upon the Alabamas what they merited for an act of treachery which had incensed the whole colony.

Some of their chiefs came to the fort with such plausible stories of the plenteousness of corn in their village that Bienville sent five men home with them to purchase. After some weeks, one of them came back alone to tell of the treachery of the savages. The party had traveled to within two days' journey of the Alabama village. Here the chiefs begged the white men to remain while they went on to notify their people, so that a reception could be prepared. That night, while the white men slept, the Indians returned and tomahawked four of them. One escaped by leaping into the river and swimming for his life. A hatchet thrown after him inflicted an ugly wound on his arm; this he dressed with pine gum, gathered from the trees, chewed, and applied as he fled through the forest.

Bienville, raising a levy amongst his Indian allies, mustered, with his Canadians, a force of nearly two hundred men, of which Tonty and St. Denis shared with him the command.

The plan was to ascend the Mobile river and the Alabama to some convenient point, to land, and marching rapidly across the country, fall a surprise upon the foe. The Mobilians were to act as guides and baggage carriers. But it was soon seen that they were in secret sympathy with the Alabamas. They conducted the little army so cunningly that at the end of eighteen days it was spent with marching and very little if any nearer the enemy than when it set out. Then, upon some trivial pretext, all the Mobilians, Choctaws and Tohomies deserted in a body.

The French commanders were thus forced, without striking a blow, to return to the fort, which they reached (by marching in a straight line) in four days. But in a few days

they quietly led forth another expedition, composed of white men only. They made the entire journey by water. As they neared the spot where their companions had been assassinated, scouts were sent to spy out the camp. It was found a short distance above on a bluff upon the bank of the river. Bienville was for attacking it at once; but his companions prevailed in favor of a surprise at night. They waited in their hiding places through the rest of the day until darkness fell and the camp fires dimmed to a dull smouldering glow, when the savages, as they judged, would be in a heavy sleep. Then the command was given and the stealthy advance began. With all their precautions a dry twig crackled under some foot. The war cry rose in the air. The old men, women and children broke from the camp and ran into the forest. The warriors retreated slowly after them, firing their guns at the invaders. All escaped with the exception of four; two killed and two wounded. The French also had two men killed, and had, for the rest of their vengeance, to content themselves with destroying the Alabamas' camp, breaking up their pirogues and throwing their hunting booty into the river.

On his return to Mobile, Bienville put the scalps of the Alabamas in the market, offering a gun and five pounds of powder and ball apiece for them.

The war sputtered along like a slow fire for nine years. The Mobilians a few years afterwards were detached from the Alabamas by Bienville's generosity in restoring to them some captive Alabama women and children taken prisoners, whom the Mobilians claimed as kinspeople. Their gratitude to Bienville for the restoration maintained them in unswerving loyalty to the French ever afterwards.

The 1st of February, 1705, tidings came to Mobile that the Chickasaws had seized and sold as slaves to the English several Choctaw families who had come to visit them in good faith, and that the act of treachery had caused a rupture be-

tween the two nations. As there were in Fort St. Louis at that time more than seventy Chickasaws of both sexes, they were very much troubled about returning to their villages, which they could not do without passing through the territory of the irate Choctaws. At their solicitation, Bienville sent twenty-five Canadians under De Boisbriant to escort them. When the whole party arrived at the Choctaw village about the end of the month, the Choctaw chief assured De Boisbriant that he would not oppose the return of the Chickasaws, but that it was only just to reproach them with their perfidy in the presence of the French. Therefore, the Chickasaws were invited to assemble in the open space in the centre of the village, and the Choctaw chief, with his calumet in his hand, began his harangue to them. He reproached them with their injustices and want of good faith; told them if the French took any interest in them, it was because of ignorance of their real character. The Chickasaws listened with more uneasiness than contrition. Around, a circle of Choctaws had gradually closed them in. When the orator had reached his point that they were too vile to live, and therefore it was proper they should die, he reversed the calumet in his hand. There was no hope of escape from the sentence, which was executed at the instant. Only the women and children were spared. Several Choctaws were killed in the *melee*, and De Boisbriant accidentally received a ball in trying to get out of the way. He was placed upon a litter and carried to the fort by a numerous escort of Choctaws.

It was a blow which staggered the Chickasaws. They sent deputation after deputation to Bienville, praying his good offices in favor of peace. After a year's hostilities and losses had somewhat mitigated the resentment of the Choctaws, Bienville was able to bring them to terms and persuade them to smoke the pipe of peace with their adversaries. The reconciliation proved a mere truce, however, and Bienville's hope of uniting the two powerful tribes for the French died away.

In the summer of 1703-1704 ships came from France, fetching everything that a growing colony could need; emigrants, money, soldiers, missionaries, provisions, a commissary, clothing, live stock, and most important of all, under charge of two Gray Sisters, twenty-three young girls, to be married to worthy young men.

The emigrants received their allotments of lands along the river; the cattle were set at large, the goods and provisions stored in the magazines, and the outstanding accounts of soldiers, and their employés, paid.

All seemed to bid fair for the happiness and prosperity of Mobile. But the last ship, touching at Havana for live stock, brought yellow fever into the colony. The plague raged pitilessly; priests, sailors, soldiers, and the new emigrants sickened, and died of it. The place was almost depopulated; and, most grievous and serious of all to Bienville and to the colony, was the loss of the brave, loyal, efficient Henri de Tonty.

Dissensions. 1706.—Almost as fatal as the epidemic were the discords that broke out among the officers of the colony. The priest De la Vente,* and the royal commissary, De la Salle,† were barely installed in their positions, when they began to chafe and fret under the authority of the young commander. Their criticism of him and their opposition to him produced a bitter and active animosity, which inflamed the whole garrison into partisanship. Accusations and recriminations passed from side to side. Letters were written to France by De la Salle and De la Vente, charging Bienville with illicit trade with the Spaniards and unlawful use of the royal stores and provisions. Bienville retaliated with

*Louisiana belonged to the diocese of Quebec. On the 20th of July, 1703, Saint Vallier, Bishop of Quebec, formally erected Mobile into a parish, uniting it to the Seminary of Foreign Missions in Paris and Quebec, which agreed to supply it with clergy. Rev. Henry Roulleaux de la Vente was appointed parish priest, Rev. Alexander Huvé, curate.—*Colonial Church in America, Shea.*

†De La Salle, son of a naval officer at Toulon, was not related to the great explorer.

general charges of incompetence, untruthfulness and mischief-making.

As the years passed without a vessel coming from France, Chateauguay, "the sea courier," of Mobile, and his transport were kept busy plying between Mobile, Cuba, St. Domingo and Vera Cruz, bringing provisions and carrying the mail for both the French and Spanish establishments. Pensacola caught fire and burned to the ground, and the vice admiral's ship sank to the bottom at her moorings, which reduced the Spaniards to greater misery and dependence on Bienville than ever before, and as they were once more threatened by the English Indians, Bienville himself had to lead a company to their relief.

Government's Dissatisfaction with Bienville. 1708.—The repeated letters from the priest and commissary reiterating their charges against Bienville made at last an impression on the government. Jerome de Maurepas was now *Compte de Pontchartrain* and Minister of marine, having succeeded to his father's position and title. The confidence which he felt in Iberville extended to Bienville only so long as Iberville lived. After the death of his brother, the young governor found out that he was to be judged without favor, and that from Pontchartrain all that he could expect was strict justice.

Bienville Dismissed. 1708.—After three years of waiting, a ship with the sorely needed supplies arrived from France. By it Bienville also received a letter dismissing him from office, informing him of the charges against him. A new governor, M. de Muys, was sent out, and a new commissary general, M. Diron D'Artaguet. De Muys died at Havana, on his way to the colony.

De Muys was not only to supersede Bienville; he was, with D'Artaguet, also to institute a strict inquiry into his conduct, and if the charges against him were found true they were to arrest him and send him prisoner to France, on a

lettre de cachet.* The captain of the ship was given an order to take charge of Bienville, conduct him to France, and deliver him up to the commander of the first port at which he landed.

Bienville demanded that some one be put immediately in his place, that he might return to France and answer the charges against him. D'Artaguet, however, concealing the harsh orders given him and DeMuys, insisted that he should remain at his post until the king appointed another governor. He made an examination into Bienville's administration, and wrote a report to the Minister of Marine, not only exonerating him from charges against him, but praising him highly for the ability with which he had met and overcome his difficulties. Far from Bienville and his brothers making money out of the colony, they were all poor, not having for several years received a cent of their salary.

Three years again passed after the last vessel and no relief came from France. The colony made brave efforts to be independent of the mother country. A brisk little trade in peltry, bears' grease and other forest produce sprang up between it and Florida and the West Indies and Central America. Massacre Island thrived and prospered with the sure persistency of a port town. Inhabitants drifted to it from the fort, from the country, and dropped upon it from vessels. Houses were built, stores opened, trees set out and gardens planted, until, as Bienville said, it was a pleasure to see it. And the property accumulated was considered so valuable that the loss inflicted by a raid from an enterprising British privateer was estimated at £50,000.

Up the river, affairs were not so flourishing; provisions and clothing became exhausted, and what was worse the supply of gunpowder threatened to give out—a timely loan from St. Domingo alone preventing this calamity. With the

* *Lettre de cachet*," a warrant for the arrest of a person under the old régime (government) of France.

able-bodied men always under arms, and with no oxen to assist in tilling the ground, dependence had to be placed on the Indians for bread food. Successive overflows destroyed the corn crops of these, and the garrison was often reduced to acorns for nourishment. In 1711 the fort itself stood under water, and spies brought word that the English Indians were purposing to profit by the high water and make an attack by the way of the river on the French settlement. They had already made an attack on the Tohomes and Mobile villages, but had been driven back.

Removal of the Fort.—In this extremity a council of officers decided, for better protection, to concentrate forces and means and bring the two posts closer together by removing the fort colony nearer to Massacre Island. A new fort was built nearer the mouth of the river and the garrison removed to it, the colonists following and settling around; but very much discouraged at the loss and trouble of the change.

During the summer months, in order to spare his store of provisions, Bienville allowed his unmarried men of good character to live among the neighboring Indian tribes. It was a privilege they eagerly sought, and one which made rare returns of frolic and pleasure, particularly when the visit was to the gentle Natchez or to the Colapissas living on the shores of Lake Pontchartrain. The days were filled with long fishing and hunting excursions with all their wholesome and exciting adventures, the nights with jollity and fun with the young folks around the camp fires, under the green leaves. Once a violinist was taken along, and the pretty Indian girls were taught to dance the stately gavotte and cotillon, and to sing the sprightly French songs, the woods pealing with merriment. It was not always easy for the Frenchmen to return at Bienville's summons, and the Indians were as sorry as they over the parting.* The good fellowship which

* A young ship carpenter, named Pennicaut, one of Bienville's followers who obtained this privilege summer after summer, has written a most charming description of his adventures among the Indians.

resulted from this friendly commingling of his men with the natives, and his stern punishment of any offence of his men against hospitality, were the chief reasons of Bienville's good reputation among the Indians and of his safety among them. For almost at any time, had they wished it, they could have combined and swept him and his colony out of existence.

QUESTIONS.

Give an account of Bienville's charge. Bienville's life and character. Fort St. Louis de la Mobile. Spaniards at Pensacola. Indian troubles. Epidemic. Dissensions. Charges against Bienville. Why was Bienville dismissed? By whom succeeded? What instructions were given De Muys and d'Artaguette? What of the investigation into Bienville's conduct?

CHAPTER XI.

LOUISIANA CHARTERED.

Crozat's Charter. 1712.—The reason why Pontchartrain did not send relief to the colony was that the financial condition of France was extremely depressed. The many wars and extravagant expenditures of the court during the long reign of Louis XIV* had brought the country almost to bankruptcy. All the executive branches of the government suffered for want of money. Public expenses were lowered in every way, and France's great glory and pride, her colonial establishments, were cut down with a mere pittance. As for Louisiana and the mouth of the Mississippi, Pontchartrain saw that he must abandon them, unless he could find some one who would assist him in the responsibility of providing for their needs.

After two years' negotiation the *Sieur Antoine de Crozat*, a capitalist and favorite of the court, was induced to become

* Louis XIV, called the "Grand Monarque," gave his name to the 17th century in France. He reigned seventy-two years; died in 1715, and was succeeded by his great-grandson, Louis XV. The Duke of Orleans, nephew of Louis XVI, was regent during the minority of Louis XV.

the chartered owner of the colony for fifteen years, for what profit he could draw out of the monopoly of its trade.

Lamothe Cadillac. 1710.—Lamothe Cadillac was named governor. One of the most prominent French pioneers in America for twenty years; indefatigable, shrewd and clever, he would have been an excellent governor but for his obstinate adherence to his own opinions and opposition to the opinions of others.

Bienville again petitioned to be allowed to return to France, or to his old position in the navy. But his wisdom in managing the Indians made his presence a necessity in the colony. Pontchartrain ordered him to remain, and assigned him to the command of the Mississippi, with headquarters at Natchez, where a fort was to be built (called Rosalie, after the Countess of Pontchartrain).

Bienville, who, with his brothers, Canadian friends and kinsmen, had been supreme for so long a time in the colony, did not welcome in a kindly spirit the new governor put over them. Cadillac, on his side, was resentful, arbitrary and domineering to the Canadians.

It was not long before the settlement was in a state of petty warfare, worse even than in the time of De la Salle and De la Vente. Cadillac stood at the head of one cabal, Bienville at the head of the other, and the aggressive enmity of both fell short only of personal conflict.

Crozat, to make sure of Cadillac's zeal, gave him an interest in his trading profit. But the efforts to develop a lucrative trade in the colony were a dismal failure. St. Denis was sent to Mexico with packs of goods; ships were loaded for the Central American ports; trading posts and magazines were established at Natchez, and at all the principal stations along the river.* To force the colonists to buy of him, no vessels

* Under St. Denis a trading post was established on Red river, on the site of the present town of Natchitoches. St. Denis explored Red river much further and advanced on a tour of exploration as far as Rio Bravo del Norte, to observe the movements of the Spaniards, to see whether they had advanced over that river into Louisiana. He found that they had formed a settlement on the western side of the

or goods but those of Crozat were allowed to enter the province. Prices were put up to suit Crozat's desires. And as much as possible, all the expenses of the colony were paid in merchandise at these exorbitant prices. The inhabitants were forbidden to sell anything out of the province, and prohibited even from owning a sea-going vessel. The peltry of the Canadian trappers was bought at the lowest of prices, which, as there was no competition, were fixed by Crozat's commissioners; and he obliged them to receive pay in his merchandise also at his own valuation.

Under the circumstances it is not surprising that huge stores of goods rotted in the various warehouses before finding a purchaser. As for the commerce with Mexico and the Spanish posts, upon which Crozat's greatest expectation had been based, it was destroyed by recent prohibitive measures of Spain against French trade.*

In the Crozat charter the king had agreed to provide for the garrison as usual. But neither pay nor uniforms arrived for the soldiers, who, naked and destitute, and not able to buy except from Crozat's stores, began to desert to the English in Canada. To the sum of discord and distress and desertion were added Indian troubles.

First War of the Natchez. 1716.—In January, 1716, news came to Mobile that the Natchez† were raising the hatchet against the French. They had pillaged Crozat's

Bravo and erected a fort called Presidio of St. John the Baptist; no settlement had been made by them east of that river, but they claimed jurisdiction to that river under the name of province of "Texas," signifying friends, because the Indians were friendly.

About the same time a small settlement and trading post was established on the Yazou, on Sicily Island and high up on the Ouachita (Monroe). Charleville, one of Crozat's traders, penetrated into the Schawanese tribes, then known as the Chouanoes, as far as the Cumberland river. His store was situated on a mound near the present site of Nashville. The same year also French posts and missions were established upon the upper tributaries of the Sabine, also a little settlement was made thirty miles west of the present Nacogdoches.

*According to a clause in the treaty of Utrecht (which ended the War of the Succession), Spain closed her American ports to French goods, and gave trading privileges to England.

† The reason of the outbreak seemed to be the neglect of Cadillac, who, in a voyage up and down the river, refused or slighted the offered calumet of the Natchez. The Natchez suspiciously concluded that war was intended and struck the first blow.

storehouse, killed his commissioners, and were putting to death all Frenchmen caught traveling up and down the river. Nothing could be more disastrous to the colony. There was no nation so important to it as the Natchez, none with whom it was so necessary to keep on good terms. But since they were in revolt it was equally necessary to subdue them promptly and in an impressive manner.

The difference between Crozat and Bienville had deterred the latter hitherto from taking up his position at the projected fort. Now he hastened in every possible manner to get to it at once. But he could obtain from Cadillac only a force of forty-nine men. With these he started, and by April arrived at the village of the Tunicas, about fifty miles below the Natchez.

As he had not force enough to war, he saw himself obliged to gain his point by subtlety. He learned that the Natchez had assassinated another Frenchman coming down the river from the Illinois, and were lying in wait at the same place for fifteen more who were expected. He was warned, also, by the French missionary against the Tunicas, who had received presents to kill him. Concealing his anxiety at this last information, and his knowledge of the state of affairs among the Natchez, he assembled the Tunica warriors and gave out to them that his mission was to make a trading establishment among the Natchez, but as his men were much fatigued with the voyage, he was going to camp on an island a third of a league below, to rest for some time, and that they would do him a favor by sending some of their tribe to announce his arrival to the Natchez.

This was done at once. He proceeded to the island, where he immediately erected an intrenchment and the necessary shelters for his men. A few days later three Natchez arrived, sent by their chief to present the calumet to Bienville. He waved it aside, saying that they could get some of his soldiers to smoke it, but that for himself, being a great chief

of the French, he would only smoke a calumet presented by a Sun chief. The next day the three warriors returned. Bienville sent with them a young Frenchman, who spoke their language perfectly, to whom he explained everything to say to the chiefs, and all the answers necessary to induce them to come to the island. The same day he sent one of his bravest and most adroit Canadians in a pirogue, to slip by the Natchez during the night and hasten up the river to warn the fifteen men coming down from the Illinois. He gave him, to place in different points of the river, a dozen great sheets of parchment on which was written in large characters: "The Natchez have declared war against the French, and M. de Bienville is camped at the Tunicas."

In about a week there were seen approaching the island four pirogues, in each of which were four men erect, chanting the calumet, and three sitting under parasols, with twelve swimmers round about. It was the Natchez Suns coming to fall into the trap prepared for them.

Bienville ordered one-half of his men not to show themselves, but to keep under arms near by. The other half were to stand unarmed around his tent, and when the boats landed were to take the arms of the savages as they stepped ashore; and he charged them to let only the eight chiefs he named enter his tent; the rest were to remain seated at the door. The eight chiefs entered, holding their calumet, which they presented to Bienville. He pushed it aside with contempt and asked them what satisfaction they were going to give him for the five Frenchmen that they had assassinated. They hung their heads without answering, at which Bienville made a sign to have them seized and conducted to the prison he had prepared for them. They were put in irons. In the evening bread and meat were presented to them. They refused to eat. All sang their death song. The next morning he persuaded them to send one of their number to the village for the heads of the assassins. Five

days later the little Sun returned, fetching three heads. Only two were identified as belonging to the guilty parties. Bienville threw the rejected head at the feet of the Suns and reproached them for sacrificing an innocent man. The chiefs confessed that the head was that of a warrior who had taken no part in the killing of the Frenchmen, but that being the brother of one of the murderers who had escaped, he had been put to death in his place. Bienville kept his Natchez visitors prisoners a month while awaiting the capture of the third criminal. The great Sun fell ill. His irons were removed, and he was taken into Bienville's tent, and treated with great kindness.

The river began to rise and the water stood over the island ; the tents had to be raised on scaffoldings. As many of his men fell ill, Bienville concluded to make terms without waiting further. The Natchez agreed to put the escaped assassin to death when they found him, and consented to Bienville's executing two of the warriors captured in the Sun's party, as it had been proved that they had a hand in the killing. They pledged themselves also to furnish timber and assist in building the fort for the French at their landing, and henceforth to observe a loyal peace with them. They were released and restored to their villages.

Fort Rosalie. 1716.—In the course of the month a solid, handsome fort was constructed according to agreement. Bienville put his lieutenant, De Pailloux, in command and returned to Mobile.

Cadillac Recalled. 1716.—On his arrival in Mobile, Bienville found that Cadillac had been recalled, and that he himself had been put in command until the arrival of the new governor, De l'Epinay.

De l'Epinay. 1717.—De l'Epinay was an old lieutenant of marine who had seen considerable service in Canada. Crozat not only gave to him, as to Cadillac, an interest in the profit of his charter, but agreed to pay him two thousand

livres a year additional, if, as the governor, he would strictly and severely execute the ordinance protecting his monopoly of trade.

De l'Épinay was accompanied by a new commissary, Hubert. On the vessel that brought them came also a band of emigrants and three companies of soldiers. Bienville was maintained in his same position, and received as recognition of his past services the Cross of St. Louis. But his disappointment at not succeeding Cadillac was great. He thought that his services entitled him to the first place in the colony, and he resented the belittling of himself and his Canadian fellow pioneers in favor of strangers to Louisiana.

The secret dissatisfaction soon broke out into open contest. Hubert, the new commissary, sided with De l'Épinay, and the usual accusations were banded from one side to the other. De l'Épinay was charged with tyrannical conduct, scandalous morals, withholding the presents sent to the Indians for himself, and illicit trading. Bienville was accused of being a paid pensioner of the Spanish government. It was a libel which he never forgot nor forgave.

Crozat Gives up His Charter. 1717.—Crozat, finding out at last there was no trade to be had with Spanish ports, and not enough in the colony in spite of all his protection to pay him for his expenditures, prayed the king to be relieved of his charter. His prayer was granted; and Louisiana and Canada, by another charter, were made over for twenty-five years to a company called the Company of the West and of the Indies. The president of the company was the famous John Law.*

* John Law, a Scotchman, was one of the most celebrated financiers who ever lived. A friend and protégé of the regent, Duke of Orleans, he was allowed to apply his theories to the amelioration of the national debt of France. He opened a bank called the Bank of France, which operated most successfully in re-establishing credit and reducing the interest on the debt. By degrees Law, extending his schemes, took into it the entire colonial interests of France in one comprehensive company, the stock of which, under his manipulations, rose to a fabulous height; to fall again to the lowest depths. The Company of the Mississippi, as it came to be called, met at first with a most glittering success, and its failure involved the bankruptcy of Law and the greatest ruin in France. In Louisiana it was, on the whole,

QUESTIONS.

Give an account of the Crozat charter. Disputes between Bienville and Cadillac. Cadillac's efforts to secure trade. St. Denis' explorations (see note). First war of the Natchez. Terms of peace. Building of Fort Rosalie. Who succeeded Cadillac? Who was De l'Epiney? Who was John Law?

CHAPTER XII.

THE COMPANY OF THE WEST.

The Company of the West by its charter acquired for twenty-five years the exclusive monopoly of the trade of Louisiana, with the absolute ownership of any mines that might be discovered in the country, the title to any lands they improved, and the right of granting concessions to its stockholders, upon condition of settlement and improvement. They were given all the forts, magazines, guns, ammunition, vessels, provisions, etc., in the colony, with all the merchandise surrendered by Crozat. They were empowered to raise troops, fit out ships of war, cast cannon, make war or peace with the Indians, and nominate governors and officers (to be commissioned, however, by the king). On its side, the company obligated itself to build churches, provide clergymen, and to bring into the colony during the term of its charter six thousand whites and three thousand blacks. The first directors of the company, six in number, were to be named by the king; afterwards they were to be elected every three years by the stockholders.*

The Superior Council. 1719.—During the Crozat charter, 1712, a council, called the Superior Council, was ap-

most beneficial in developing the colony. The title by which it is now known, the Mississippi Bubble, records the verdict passed upon it by posterity. Law fell like his stock, from vast wealth to utter worthlessness. He ended his days a poverty-stricken, homeless adventurer.

*The first directors of the company named by the regent were: Law, director general of the Bank of France; Diron d'Artaguet (former royal commissary), receiver general of the finances of Auch; Duché, receiver general of the finances of La Rochelle; Moreau, deputy of commerce of St. Malo; Piou, deputy of commerce of Nantes; Castaigne and Mouchard, merchants of La Rochelle.

pointed for three years, to administer justice in civil and criminal cases. It was composed of five members—the governor, the royal commissary, the commander of the royal troops, who elected the other two members, and an attorney general, clerk, etc.

The term of this first board having expired, a new one* was appointed, composed of the directors of the company presided over by the governor, with the director general of the company as senior councillor. But, although he had the seat of honor at the board, the governor had no more power than his one vote entitled him to, and he was in reality subordinate to the senior councillor, who performed the functions of president of the tribunal, counting the votes, pronouncing judgments, affixing seals, etc.

Inferior Councils.—Hitherto this council was the sole tribunal of the colony, but the increase and the spread of the population demanded that tribunals should be stationed in several parts of the province. The directors of the company and the agents, with two to four of the most notable of the inhabitants of any neighborhood, were, therefore, constituted into such inferior tribunals. Their judgments were appealable to the Superior Council.

Bienville Governor. 1718.—The new company applied all the stimulus of capital and determination to the development of their enterprise.

They recalled De l'Epinay, and gave the government to Bienville (with the title of Commandant General for the King), as to the one man qualified by experience and ability to carry out their expectations. The appointment was backed by three ships loaded with abundant supplies of money, provisions, merchandise and a full corp of directors, under

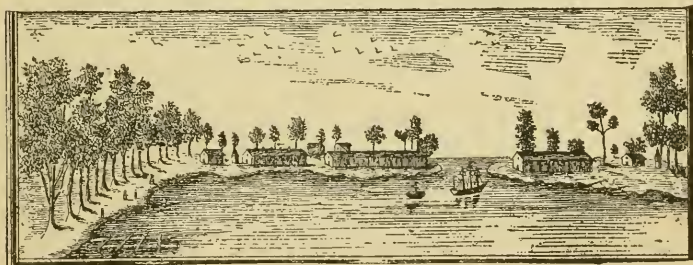
*The first Superior Council under the Company of the West was composed of Bienville, commandant general; Hubert, senior councillor; Boisbriant and Chateauguay, king's lieutenants; l'Archambault, Villardo and Legas, puisne councillors; Cartier de Baume was the attorney general, and Cuture the clerk.

a director general,* and more than seven hundred emigrants.

A large and capable corps of engineers was sent out under the Chevalier Leblond de la Tour, a knight of St. Louis, to superintend the construction of the necessary public works.

Bienville entered upon his duties with an energy which showed that he considered the expectations of the company of easy fulfilment with the means at his disposal.

To make sure of his western boundaries against the Spaniards, he sent Chateauguay to take possession and build a fort at La Salle's old site on the coast of Texas. De la Harpe, with fifty emigrants, was sent to establish a post on Red river among the Caddodaquious. The newly arrived engineers were ordered to examine and report upon the depth of water at the mouth of the Mississippi, with a view to securing a good channel into it.



NEW ORLEANS, 1718.

New Orleans. 1718.—He himself, with a party of workmen, set out to accomplish a design which had lain near his heart ever since the days of his command at Fort Maurepas. This was to found a city on the banks of the Mississippi;

* Among the first arrivals, in August, 1718, was the first historian of Louisiana, Le Page du Pratz. He came with a force of ten men, and selected a tract of land near the new city. Du Pratz relates the anchoring of his ship in the open road before Dauphin Island; the chanting of the Te Deum for the safe voyage, the landing of the passengers and their effects, etc. On the island he was lodged and fed by a friend, an old ship captain who treated him to the most wonderful good cheer, the fish particularly eliciting glowing praise.

for he was convinced that a city thus situated would one day be one of the trading centres of the continent. He had chosen the spot years before, and had even settled some Canadians there to prove its fertility and height above overflow. It was a ridge of high land near the bank of the Mississippi, about one hundred and fifty miles from its mouth; communicating with Lake Pontchartrain in the rear by a small bayou (afterwards named Bayou St. John). He named the place after the Duke of Orleans, regent of France, the patron of John Law and the Company of the West.

Colonization. 1718.—Over in France the Mississippi Company continued parceling out its capital of land in large concessions to its shareholders, who sent over emigrants by the ship load to take possession. The Yazou* district, Natchez, Natchitoches, Pointe Coupee, Baton Rouge, Manchac, Houma, Tchoupitoulas (just above the site of the new city), Cannes Brulées, Bay of St. Louis, Pascagoula, all were made over to noble or millionaire families. Law himself secured a tract of four miles square on the Arkansas, to which he shipped Protestant Swiss and German emigrants.

The small establishments of Mobile and Dauphin Island staggered under the sudden increase of population put upon them. According to the terms of the Mississippi Company, free lodging, food and transportation were guaranteed to the colonists. As the concessions were scattered all over the lower Mississippi valley, boats and carts had to be made to convey the emigrants. The overworked carpenters did what they could, but delays were unavoidable, and while the emigrants were waiting for the means of transportation they were

* A company headed by Leblanc, secretary of state, the Comte de Bienville, and the Marquis de Assleck, took possession of the Yazous. Concessions at Natchez were made to the Commissioner Hubert, and to a company of St. Malo merchants. Natchitoches was conceded to Bernard de la Harpe, the compiler of "*Journal Historique*;" Tunicas to St. Reine; Pointe Coupee to De Meuse; the present site of Baton Rouge to Diron d'Artaguet; the bank of the Mississippi opposite Manchac to Paris Duvernay; the Tchoupitoulas lands to DeMuys; that of the Oumas to Marquis d'Artagnac; the bank opposite to De Guiche, De la Houssaie and De la Houpe; Bay St. Louis to Madame de Mezieres; and Pascagoula to Madame de Chaumont.

forced to eat the provisions sent to feed them in their new homes, and spend the money they had brought to furnish them. No lodgings being provided, they were forced to sleep under any shelter they could find. In the summer months this produced great distress and sickness, particularly among the women and children.

Capture of Pensacola. 1719.—But the colony was to receive an interruption, and an interruption of the pleasantest kind to the Canadian governor and his soldiers.

In April, 1719, the two De Serignys,* Bienville's brother and nephew, sailed into the harbor of Dauphin Island, bringing the news of war between France and Spain. This was the opportunity for which the French had been waiting for twenty years, to capture Pensacola. Bienville summoned a council of war, and it was decided to attack the Spaniards at once, before they heard the news and had time to put themselves in a state of defence.

As soon as his cargoes were discharged De Serigny sailed there with his ships, the *Marechal de Villars* and the *Philippe*, followed by the *Count de Toulouse*, which happened to be in port. They carried one hundred and fifty soldiers. Bienville sailed in a sloop with eighty men. With a fair wind they made a good run to Isle Ste. Rosa, the outpost of the Spaniards. Anchoring as close to land as possible, the troops disembarked unperceived, and soon mastered the small garrison stationed there. Putting their prisoners in irons and dressing in their uniforms they easily deceived and captured the detail, who came out next morning to relieve guard. Embarking then in the Spanish boat, they crossed the bay, entered the fort, surprised the sentinels on duty, and captured the whole place—soldiers, magazine, storehouse and the commandant, who was still in bed. Chateauguay was

* De Serigny, the brother, was charged with the commission to examine and sound the coast of Louisiana. His maps form the beginning of the scientific cartography of the Mississippi Delta.

put in command, and the Spanish garrison shipped for Havana on the *Comte de Toulouse*. The governor of Havana received the French officers in charge most ceremoniously, thanking them for the politeness of their visit; but no sooner were the prisoners in his hands than he seized them with their ship, placed the soldiers in irons and put the entire crew, officers and all, in prison. He then equipped the French vessel with a Spanish crew and Spanish soldiers, and sent it with his squadron to retake Pensacola. The Spanish vessels drew up behind the Isle Ste. Rosa. The French vessel, flying the French colors, boldly entered the channel. Scarcely was anchor dropped, however, when the French flag was lowered, the Spanish run up, and three cannon shots fired. At the signal the rest of the squadron made its appearance, twelve sail in all. The next day eighteen hundred men were landed and began the assault, which soon reduced the fort. Chateauguay was sent to rejoin his compatriots in Havana. The Spanish commander then sailed over to Mobile and summoned Serigny, who was in command, to surrender. Serigny, surrounded by his soldiers, Canadians, and savages in all their war paint, received the messenger and told him that the Spaniards could come when they pleased, they would find the French ready to receive them. And in truth the French made so gallant a show that the Spaniards did not venture to land, nor even come within gunshot of the French batteries. One of their vessels, entering the bay, captured some flat-boats of provisions and ravaged the plantations along the shore. Fortunately, that night Bienville was sending a reinforcement of Indians to his brother. These fell upon the marauders. Very few escaped.

The sight of a squadron of French war ships in the gulf hastened the departure of the Spanish fleet. With this strong reinforcement, Bienville and Serigny shortly afterwards sailed again to Pensacola, and capturing it a second time, destroyed its fortifications.

After this sprightly episode, the colony returned to its former routine of life.

Inflation. 1719.—Emigrants continued to arrive by the hundred, two hundred, four hundred at a time. Ignorant of all life except that of the small peasant of France, dazed from the long voyage, weak from sea-sickness, a more helpless mass of people never landed in a new country. And no emigrants ever landed in a more unfavorable spot than Dauphin Island. Put ashore with their scanty effects, they were forced to wait weeks for the means of transportation to their concessions; without shelter, with insufficient food, unable to find work or gain anything by cultivating the arid soil, tortured and blinded by the dazzling white sand, under the rays of a tropical sun, exposed to the infection of the ships from the West Indian Islands, always waiting and hoping and being disappointed, it is easy to believe that most of the unfortunate creatures died of their misery on the spot. The directors of the company, more and more helpless before the increasing difficulties of the situation, and more and more unable to meet the demands upon them, were panic stricken at the crisis which they saw impending. They could think of no remedy but a change of base.

Bienville exerted himself in vain in favor of New Orleans. The emigrants, he maintained, could be landed there and easily distributed to their concessions, or find self-support in cultivating the rich alluvial soil. He was outvoted at the council, which decided in favor of the old capital, Biloxi.

Biloxi. 1720.—The move was effected with all haste, and at great expense to the company and colony; and in a short time Fort Louis de la Mobile was only a garrison post, and Dauphin Island a way station for incoming and outgoing ships. But, as Bienville had maintained, there was no change from the removal except to still greater financial loss and human misery. The emigrants continued to increase in numbers and their quality decreased. Formerly small bodies of con-

victs were sent to Louisiana to work out their sentences there in clearing and developing the land. Now the company, to keep up by flattering numbers its enterprise in the eyes of the shareholders, began to send as emigrants any material they could get, even by force or fraud. Prisons, reformatories, asylums and hospitals were raided, and the inmates shipped to the Mississippi. Kidnappers in the streets of Paris and other large cities of France drove a thriving trade by furnishing emigrants at so much a head. And to add to the dark picture, slave ships brought their wretched, reeking African cargoes, and dumped them, like so much ballast, on the sands of Biloxi. The result can be imagined. Crime and outrage could not be prevented. The famine became so great that more than five hundred died of hunger. Fish and oysters were all the food that the starving creatures could find, and to get them they had to wade out in water up to their waists. Their dead bodies were found in heaps around piles of oyster shells.

New Biloxi.—A drunken, sleeping sergeant, by letting his lighted pipe fall in his tent, started a fire which consumed Biloxi to the ground. A council of all the colonial officers was held, and another transfer of headquarters was decided upon. Bienville again made an effort in favor of New Orleans, and was again outvoted, on the pretext that there was not enough water at the mouth of the Mississippi to permit the entrance of loaded vessels. The point of land opposite Deer Island, called thenceforth New Biloxi, was chosen for the seat of government, and orders for its establishment carried into effect at once. A fort and extensive buildings were put up on the mainland, and a hospital on the island.

Bienville met the positive denial that loaded vessels could enter the mouth of the Mississippi by the proposition to send the "Dromadaire," a vessel of the company, through it as a test. One of the directors opposed this violently on the strength of a certificate from the captain of the "Drom-

adaire," that his vessel could not get through the mouth of the river. Bienville then declared that he would send the vessel through on his own responsibility; the director warned him that if he did so he would be held liable for damages. Bienville, shortly afterwards, did in fact carry the "Dromadaire" triumphantly through the passes.

Pauger, De la Tour's assistant, was dispatched to the passes to make maps of them and a report to send to France, to prove Bienville's theory, that the Mississippi was navigable for large vessels and that New Orleans must be the capital of the province. Pauger* went also with a force of convicts to lay out New Orleans as a regular city. He accomplished the task satisfactorily; clearing the neglected space, aligning streets, assigning allotments, and making a plan of the whole, containing the names of the owners of the allotments.

The Mississippi Bubble. 1721.—Just at the time the news of Law's failure and flight, and the collapse of the Mississippi scheme, reached the colony. All enterprise and hope were for a moment paralyzed, and a financial panic seemed inevitable. But ships, emigrants, soldiers and merchandise continued to arrive as before, and it soon became evident that whatever the amount of bankruptcy caused in France to the stockholders and investors in the Mississippi scheme, Louisiana was not going to be given up as a bad debt.

In France the board of directors to whom had been confided the liquidation of the company made known their determination not to abandon the enterprise by sending out new directors and two officials, Messrs. Daunoy and De la Chaise, to examine into the late accounts.

The statements published by the Company of the West proved that during the term of its charter it had transported to Louisiana 7020 persons, among these 600 negroes. The

* Pauger's map of New Orleans is the earliest we have.

expenditures had been enormous; those of the last year alone having risen to 474,274 livres. (The value of the *livre* was the same as that of the *franc*, about twenty cents.)

QUESTIONS.

Give an account of the Company of the West? The judicial administration of the colony? What of New Orleans? Give an account of the capture of Pensacola and following circumstances? What of the inflation of 1719? The sufferings of emigrants? Move to Biloxi? Scenes there? New Biloxi? How did Bienville exert himself in favor of New Orleans? What of the passage of the "Dromadaire" through the mouth of the Mississippi? What was the effect of the breaking of the Mississippi Bubble in Louisiana? How many persons had the Company of the West brought into Louisiana?

CHAPTER XIII.

NEW ORLEANS.

New Orleans, Capital of the Colony. 1722.—Bienville's repeated letters on the subject, with Pauger's map and reports at last convinced the Louisiana administrators in France, and the long desired authorization was received to remove the capital of the colony to New Orleans.

Centralization.—From this moment Louisiana ceased to be a mere colonial experiment, and began to be self sustaining. The work of transferring the capital was begun without delay and was prosecuted with vigor. In June, 1722, De la Tour and Pauger led the way, by sailing in a loaded vessel through the mouth of the river. As soon as word was brought back that they had passed the bar, other boats followed with men, building materials, ammunition and provisions.

Under De la Tour's supervision, the city took form and shape. A church and houses were built, levees thrown up

ditches made, and a great canal dug in the rear for drainage. A cemetery was laid out, and a quay, protected by palisades, was constructed. Bienville arrived and took up his residence there in August. To Pauger was assigned a post at the Balize.* With fifty workmen and a dredge boat, he performed marvels in an incredibly short time. Besides keeping a pass open, he built, out of the drift caught from the river, lodgings, storehouses, boats, a smithy, and a chapel with a belfry that could serve for a light-house, while his gardens furnished the gladdest of welcomes both to the eye and heart of the weary incoming sea traveler.

Beginnings of New Orleans.—New Orleans, however, had no more fortunate beginnings than Mobile or Biloxi. In the midst of the building and transportation the September storm came on, with a hitherto unexperienced violence. For five days the furious hurricane, raging from east to west, swept land and sea. The ripened crops of rice, corn, and and buildings of the planters blown down. In New Orleans the church and most of the new edifices were demolished, and three vessels wrecked in the river. At Biloxi, the magazine with all the stores, and a ship with its cargo of ammunition and food were ruined; almost all of the boats, sloops and pirogues were lost, and two ships rendered totally unfit for service. For a week the greatest apprehensions were felt on account of the three ships anchored at Ship Island and for a ship on its way to the mouth of the river loaded with pine timber for a storehouse, which had cost the company over a hundred thousand livres. All of them arrived in course of time at New Orleans, passing with facility over the bar. Another crop of rice which sprouted from the seeds scattered by the storm—a proof of the fertility of the land—came as a great consolation to the colonists; but the destruction of

*Balize means buoy. It was on a pass at the mouth of the Mississippi.

other food which could not be replaced brought upon them the affliction of a famine.

To complete the sum of disasters fevers broke out with great mortality, and the indomitable Bienville himself fell ill, and for a time his life was despaired of. But the city grew despite it all, and became, as it was destined to become, the centre of the colony, attracting inhabitants from all quarters.

After the bankruptcy of Law, his concessions upon the Arkansas became entirely neglected. Most of his colonists, seeing themselves abandoned by him, moved down to New Orleans, in hopes of finding a passage back to their native country. The council, not willing to lose them, gave them land on both banks of the river, about twenty miles above the city. It is still called from them the "Côte des Allemands" (divided between the parishes St. Charles and St. John the Baptist). The industrious Germans took to garden culture and soon supplied the markets of New Orleans with vegetables. Every Saturday their little fleet was seen descending the river, loaded with their fresh green products.

Restoration of Pensacola to the Spaniards.—The termination of the war with Spain, and a double marriage alliance between the two crowns, made the retention of Pensacola by France an impossibility. It was formally surrendered by Bienville in the beginning of the year 1723.

Second Natchez War. 1723.—The discontented Natchez tribes had gradually recovered from the crushing punishment inflicted upon them, and again influenced by either the English or by the Chickasaws, allies of the English, had commenced their depredations and ambushed assaults upon the French—attempts which had grown in boldness until fears were entertained for the safety of the post. After the usual routine of conciliatory measures—summoning the chiefs to him, haranguing them, giving presents to them, Bienville saw himself forced into an attitude more intelligible to the savage mind.

in October he landed at Natchez with a small army of seven hundred men—regulars, volunteers and Indians. To give the villagers no time to rally or fortify, he began his march against them the morning after his arrival. "Stung Serpent," a noted Natchez chief, still loyal to the French, hurried to Fort Rosalie, where the commandant slept, and confessed that the people of the White Apple, Jenzenaque and Gray Village were in a state of insurrection, and obtained from Bienville the promise that vengeance should strike only the three guilty villages. It was on All Saints' Day that the Army, with all precautions for a surprise, filed through the narrow paths of the forest surrounding the doomed White Apple village. They came to a mud cabin, before which were three squaws pounding corn. The women ran in and closed the door after them. Two or three warriors inside made a defence, but they were expeditiously killed and scalped and the women made prisoners. With the exception of some individual exploits by Canadian and Indian scouts, this was the only war-like achievement of the French in the campaign. The White Apple village was found deserted; it was burned and the army returned to St. Catherine's Concession, whence they had set out in the morning.

A few days later, Bienville led his army against the Gray village, with the same results. The village and temple were burned. From a captured squaw it was learned that the Indians were awaiting the French at the Jenzenaque village, a half league away. On this the army wheeled about, and a Tunica chief leading the way it marched toward the enemy. A strong cabin was discovered on a height, the fifes struck up, and the army forming into a square advanced. This cabin, like the others, was found empty. The Tunica chief, taking a turn around the height, perceived below him one of the enemy's chiefs, a Little Sun, who saw him also at the same time. Both took aim, and fired simultaneously. The Tunica chief stretched his enemy dead on the spot, but fell him-

self, dangerously wounded at the instant. The army then again returned to St. Catherine. Bienville summoned Stung Serpent to him and they agreed upon a peace; but the Natchez, not the French, were felt to have been victorious in the skirmish.

Bienville Recalled. 1724.—There had been no more harmony between Bienville and the Directors-General, Hubert and Duvergier, than between him and the Governors, Cadillac and De l'Epinay. And, as in the former cases, discords took the shape of charges and accusations. The suspicion caused by the old stories of De la Salle and De la Vente had never wholly died out, and every dissatisfied official returning to France revived them by his versions of new tyrannies and misappropriations of royal funds.

Hubert and Duvergier took to France their accusations in written documents with notarial signatures and attestation. These produced prompt effect in official headquarters. A letter from the king directed Bienville to sail to France immediately and answer for himself.

Black Code. 1724.—To provide the growing number of negro slaves imported into the colony with the security and the protection of the law, Bienville published his celebrated Code for the Blacks, or "Code Noir," taken from the regulations compiled by the jurists of Louis XIV for the island of St. Domingo. It was the last public ordinance to which he affixed * his name before returning to France. After his departure the Superior Council investigated the charges made by Hubert and Duvergier. They reported that they found them to be only the calumny of the malicious. The notary who had signed them had his commission revoked and was himself condemned as a libeler.

*Also signed by De la Chaise, Fazende, Brusle, Perry, members of the Superior Council. De la Chaise had succeeded to Duvergier as Commissary General of the colony. The following is the list of captains commanding in Louisiana, with the date of their commissions: 1714, Marigny de Mandeville; 1717, De la Tour, D'Artaquette; 1719, Du Tisne, Lamarque; 1720, Leblanc, Desliettes, Marchand de Courcelles, Renault d'Hauterive and Pradel.

The year following, rumors were rife in the colony that the Indians were rejoicing over the recall of Bienville, and that his reappearance in the colony would be the signal for hostilities from them. De Noyan, Bienville's nephew, made a request to the Superior Council that the Natchez, Houmas, Tunicas and other tribes might give voice to their sentiments and refute so grievous a calumny against his uncle. The Superior Council consenting, these nations made their declarations that they all regretted Bienville.

Bienville was, nevertheless, dismissed, and in his ruin involved his family and friends. Chateauguay was deprived of his rank, as were the two De Noyans, who were sent to France.

Boisbriant was recalled to give an account of his conduct. Pauger, Perry, Perrault, as members of the council, were censured; the two latter were sent to France. Fazende, also dismissed, was allowed to remain in the colony. In short, for the first time since its colonization, Louisiana was to own in its government neither member nor friend of the family of its founders.

On his arrival in France, Bienville presented to the minister, as a justification of his conduct, a memoir* of the services that had filled his life since the day when, a mere strippling, he had followed his brother Iberville in quest of the

*The following is an extract from his memoir:

"It was not without trouble that I became absolute master of so many nations with such barbarous tempers and different characters. One can imagine how many difficulties I encountered and what risks I ran to found the colony and maintain it to the present time. Necessity, it is said, renders one industrious; experienced that it also renders one intrepid in danger, and makes one perform, so to speak, the impossible in the different conjunctures one has to meet in an unknown world with so small a force. I first strove to qualify myself to govern without the aid of an interpreter. I applied myself to learn the language which appeared to me to be the dominant one among the savages, the knowledge of which would help me in learning the others. I was fortunate enough from the first to gain the confidence and friendship of the savages. I studied their customs in order to retain them in peace, one with the other; so that for the twenty-seven years during which I had the honor of commanding in the province I was the arbiter of their differences. I always governed these nations—born in independence, so to speak—despotically, pushing my authority even to the deposing of their chiefs.

"The Sieur de Bienville dares say that the establishment of the colony is due to the constancy with which he has attached himself to it for twenty-seven years without being out of it since he made the discovery of it with his brother Iberville."

ville in quest of the country for the government of which he was now, a middle-aged man, called to account.

QUESTIONS.

Give an account of the removal of capital to New Orleans. What of the beginning of the city? What of the Germans belonging to Law's concession? When was Pensacola restored to the Spanish? Give an account of the Natchez war. The recall of Bienville. The Black Code. What of the investigation into his conduct by the Superior Council? What of Bienville in France?

CHAPTER XIV.

NATCHEZ MASSACRE.

Perier Governor. 1725.—Bienville's successor, Perier, arrived and took up his abode in the capital, where, for a time, all went well in the march of improvement.

Ursuline Sisters.—A great event in the community was the arrival of six Ursuline Sisters to found a convent for the education of the young girls of the colony, and to serve in the hospital. While their convent was being built, they took up their residence in Bienville's* old hotel.

The Jesuits, who came over at the same time as the Ursulines, were given a tract of land immediately above the city, in what was long known as the faubourg St. Mary. They had a house and chapel built, and laid out their ground in a plantation for Myrtle wax† trees.

*Situating in the space now bounded by Chartres, Decatur, Bienville and Customhouse streets. One of the nuns thus describes it in a letter to her father: "The finest house in the town. It is a two-story building with an attic . . . with six doors in the first story. In all the stories there are large windows, but with no glass. The frames are closed with very thin linen, admitting of as much light as glass."

† Wax was an important and valuable article of trade at a time when candles were the principal means of illumination.

City in 1725.—The government house had been built on the land next to the Jesuits. In the centre of the city stood the Cathedral; facing it was the Place d'Armes, on each side of which were the barracks. A house for the sessions of the Superior Council and a jail were built on the square immediately above the Cathedral. A levee ran in front of the city, and a wide ditch for drainage on Bourbon street. In addition to the large ditches around the squares, each lot was at first surrounded with a small ditch, but these in course of time were filled. On the plantations the culture of indigo had been added to that of tobacco and rice; the fig tree was introduced from Provence, and the orange from St. Domingo.

To provide wives for the bachelors, numbers of young girls were again brought into the colony. They were poor, but of good character and honest family. Each of them was supplied with a small box, called in French "cassette," containing clothing, which gave the girls the name of *filles à la cassette*. They remained in charge of the nuns until married.

Natchez Massacre. 1727.—After Bienville's last treaty with them the Natchez seemed determined to remain on good terms with the French, but the systematic tyranny and injustice of Chepart, the officer in command of Fort Rosalie, infuriated the tribes to such a degree that they inflicted a blow which made the colony reel, and appalled the home government. The crowning outrage of Chepart was most wanton. Looking for a suitable tract of land for a plantation, he cast his eyes upon the charmingly situated White Apple village, and determined to possess it. He sent for the Sun of the village and ordered him and his tribe to vacate it. The Sun replied that the ancestors of his tribe had possessed the village as many years as there were hairs in his war lock, and it was only right that he and his descendants should still live in it. But the French commander, refusing to listen to reason

or remonstrance, fixed the day for evacuation. The Sun assembled the council of his village and made a speech, in which he exposed the rapacity and tyranny of the French and urged the tribe to make a stand against it.

Village by village was aroused, and the different Suns adopted the determination to strike one bloody blow, and free themselves forever from the burdensome yoke upon them. Emissaries were sent to the adjoining tribes. Packages containing an equal number of sticks were prepared and sent to every village, with directions to take out a stick every day after the new moon. The attack was to be made on the day on which the last stick was taken out.

Great care was taken to keep the design from the women. One of the female Suns, however, had her suspicion aroused, and extracted the secret from her son. The bundle of sticks for her village had been deposited in the temple, the keeper of which was to take out a stick daily and burn it in the sacred fire. The princess, by reason of her rank, had access to the temple at all times. She found an opportunity to take one or two sticks from the bundle and threw them into the fire; this destroyed the count and prevented unanimity of action. It is said that she even gave notice of the massacre to one of the officers of the garrison; but her warning was unheeded.

The fatal day arrived. By daylight the Natchez, in small groups, strolled into Fort Rosalie and the establishment adjoining until they outnumbered the whites. Pretending that they were going on a hunt, they borrowed guns and offered to buy powder and shot. At 9 o'clock the signal was given. Each Indian fell on his man. By noon two hundred were killed, and ninety-two women and fifty-five children and all the negroes were made prisoners. Chepart was among the first slain. During the massacre the great Sun, with apparent unconcern, smoked his pipe in the government warehouse. His men brought in to him the heads of the officers,

placing that of Chepart in the centre and the others around. When the Sun was informed that not a white man was left alive, except a carpenter and tailor specially reserved from the massacre, he gave the command to pillage. Every building was sacked and the spoils divided. Two soldiers, who were accidentally in the woods, escaped and carried the news to Perier, in New Orleans.

The colony trembled from limit to limit. New Orleans was given over to panic. Every settlement of Indians, however small, became an object of dread. There was an insignificant and peaceful group of Chouachas living above the city. Perier sent a band of negroes from the neighboring plantation and had them ruthlessly destroyed—men, women and children.

Ships were sent to France for troops. Couriers were despatched to the Illinois, Red river and Mobile countries, warning the white men there. Emissaries were also sent among the Yazous to hold them true to France.

The Choctaws were the first in the field. Seven hundred of them, under the Canadian Le Sueur, fell upon the Natchez while they were still in the midst of their feasting and rejoicing, killed sixty of their warriors, and rescued fifty-nine women and children, and one hundred slaves who had been taken prisoners. It was February before the troops from New Orleans, fourteen hundred men, under Loubois, arrived. The Natchez, in the meantime, had fortified themselves in the White Apple village in two strong houses, Fort Flour and (as the French well named it) Fort Valor. Their defence was splendid. The French opened siege with all science of continental warfare—sappers, miners, cannon; but from the first they were hopelessly overmatched in every soldierly qualification by their savage foes.

The honors of the campaign rested with the Choctaws. They at least had the merit of terminating it. Waiting in vain for the French to make a promised breach in one of the

forts, and seeing one day thirty Frenchmen running from the trench before a sortie of the Natchez, the Choctaws opened a parley with Fort Flour. Alabamma Mingo, one of their most famous chiefs, made a speech to the obstinate foes, in which he convinced them that although the French could not fight them the Choctaws were sufficient in numbers and possessed patience enough to blockade them and force them into surrender through starvation. The Natchez agreed to deliver to the Choctaws the remainder of the women, children and negro prisoners, if the French would evacuate their position and with their guns retire to the banks of the river. This was carried out. Two nights after the Natchez secretly made their escape from their forts, eluding all pursuit of the French. With their allies, the Yazous, some of them sought refuge with the Chickasaws. The others, crossing the Mississippi, made their way westward through forest and swamp to an imposing mound, in the present parish of Catahoula, just above the juncture of Little river with the Ouachita. Here they remained until tidings reached them that a great army of white men and Indians led by Perier was close upon them. They then withdrew to a far stronger military position, to a thirty-foot bluff on the eastern end of a plateau, known now as Sicily Island, situated at the southwest extremity of a small lake (Lake Lovelace), where they intrenched themselves. It took Perier nine months with twenty different scouting parties to locate them.

Last Stand of the Natchez. 1731.—In the middle of the summer the reinforcements from France arrived—eight hundred French soldiers and Swiss mercenaries. This, with what he could raise from among the colonists and his Indian allies, enabled Perier to garrison all his settlements and lead a thousand men against his enemies.

In the beginning of the year 1731 he ascended the Mississippi to the mouth of the Red river, where all of his forces were to assemble. Proceeding through Red river to

Black river and up the Ouachita, he reached the lair, in which the Natchez stood like beasts at bay. As before, the Natchez held their own gallantly, until they brought about a parley. Perier refused to treat with any but chiefs. Two Suns and the great warrior who had defended Fort Flour presented themselves. They were treacherously made prisoners. Perier then demanded the surrender of all French prisoners; this was acceded to. During the night the warrior from Fort Flour made his escape; the two Suns, not so fortunate, were discovered and held. Perier then offered to spare the lives of all the Natchez men, women and children, who delivered themselves up to him. The next day four hundred women and children and forty-five men left the Natchez fortifications and ranged themselves inside those of the French; but they came in such small groups that the whole day was consumed in the surrender. Seventy still remained in their fort, asking a delay until the morrow. It was raining in torrents. Between the water under foot and the water overhead, Perier, not being able to take them, was forced to consent. At 9 o'clock at night the weather cleared, and the French could approach the Natchez forts. They were found deserted! Again the great fighting bulk of the nation, under the leadership of the redoubtable warrior of Fort Flour, had given the slip to their captors. The stronghold was destroyed and two prisoners taken were scalped and burned. Perier returned to New Orleans with his trophies of women and children, the two Suns and forty men, all of whom he sold into slavery in St. Domingo.

Escaped Natchez.—The number of Natchez Indians who escaped during the siege and capitulation was three hundred. They spread themselves over the Red river country, savagely attacking St. Denis in the Natchitoches fort. Beaten back, they took possession of a deserted Natchitoches village, from which they were driven out by St. Denis, after an obstinate fight. They then sought refuge with the Chicka-

saws, who from the first had offered their villages and strongholds to them.

QUESTIONS.

Give an account of the city in 1725. What product had been added to agriculture? Give an account of the Natchez massacre. The effect on the colony. Describe the expedition against them. What of the treaty? Describe the last stand of the Natchez. What became of those who were taken prisoners? Those who escaped?



CHAPTER XV.

LOUISIANA A ROYAL PROVINCE. 1731.

With the peace, prosperity and life of the colony threatened by an Indian war, the administrators in France could not hope to carry on its development with any profit. They therefore surrendered their charter to the king, and Louisiana once more came back into the wardship of the royal government. The colonists themselves, shaken by past events, lost confidence in the men over them. The commandants of the different posts who had served under Bienville's long administration, wrote to the Minister of the Marine representing his merits over those of any other man who had ever governed in the colony. Pontchartrain himself must have felt the force of their arguments even if he was not convinced by his own experience with Bienville. Perier was recalled, and the Canadian, relieved of his disgrace, reinstated.

Bienville Governor. 1733.—Stopping at St. Domingo on his way to Louisiana, Bienville had an interview with his old friends, the unfortunate Natchez who had been sold into slavery. They assured him that they had been driven into revolt only by the hard treatment they had received from the French officers at Fort Rosalie, and that they bitterly regretted the sad termination of their long alliance with the

French. The governor was much impressed with their changed fate and the wretchedness of their demeanor.

Arrived in New Orleans, Bienville took up his residence in his former hotel and addressed himself to his old routine of governing.

War With the Chickasaws. 1736.—The first and most important claim upon his attention was naturally the Natchez question. He could arrive at no accurate estimate of the number of them still at large. But, through his Indian allies, he knew that there were three bands of them; one on the Ouachita, one on the Yazoo and one with the Chickasaws.

French security demanded that these last should be proceeded against in an exemplary manner. In case the Chickasaws could not be forced or bribed to give them up, they must be included in the war also. The Choctaws were his main reliance. Strong and powerful, their rivalry of the Chickasaws had kept them in a state of well disciplined warfare. But Bienville found that during Perier's unskilful administration a division had crept into the Choctaw nation; that English traders and emissaries, with liberal display of promises and presents, had won over a considerable party among them in favor of the English. While he prepared his armament against the Chickasaws he addressed himself to healing this division. He sent his Canadians among them again. At their instigation many of the Choctaw villages rose and killed the English staying there, and afterward they were incited into keeping up a succession of war parties in the field against the Chickasaws, which, burning their cornfields and waylaying their hunting parties, harassed them greatly. The same tactics were employed to induce the Indians along the Mississippi to strike down from the north against the Chickasaws, who, between two fires, kept close in their territory, appealing for help to the English.

Bienville's plan of campaign was one in which he thought he had secured every possible means for success. It was to

penetrate by the Tombigbee river into the Chickasaw country, where he was to be joined by d'Artaguette (a young brother of Diron), commandant at the Illinois, with a force of three hundred good men. Orders were sent to d'Artaguette fixing the place of meeting on the Tombigbee, four days' journey from the Chickasaw villages; the time, between the 10th and 15th of March.

Bienville, the better to further his preparations, took up his position during the summer in Mobile, where, in a grand council, he exposed his plans to the Choctaw chiefs, and secured their willing co-operation in them. But the means of transportation, to be furnished by the middle of October, were not ready by the middle of January. A courier was despatched to D'Artaguette, putting off his march until the middle of April.

Finally, all was ready and a grand start was made on the 1st of April. The armament made a fine show on the Mobile, rowing up the river in the early morning sunlight; thirty pirogues followed by thirty flat-boats loaded with five hundred soldiers, without counting the brilliant staff of officers and company of forty-five blacks commanded by free negroes.

It took twenty-three days to get to the place of meeting on the Tombigbee. No trace of D'Artaguette was to be seen. The Choctaw chiefs arrived, however, and promised to meet the French, with all their warriors, in fourteen days, at the little creek, Ottibia, that separated the Choctaw and Chickasaw territories. They arrived promptly at the time and place shortly after the French.

After throwing up a fortification to protect their boats and provisions, and leaving a small garrison behind them, the army set out on the march to the Chickasaw country. It was a hard march, through deep ravines filled with water waist high, and across thick-grown canebrakes. But after this they came to a beautiful country easy of travel. Camp was pitched about six miles from the Chickasaw villages. The great chief

of the Choctaws asked Bienville which village he intended attacking first. Bienville told him the Natchez, as they were the authors of the war. The great chief then explained that the first village was the nearest Chickasaw village to the Choctaws, and did them most harm, and that he would like to attack that first, particularly as it was filled with provisions which the Choctaws needed. Hardly doubting but that the Choctaws would return home after taking this first village, their habit being to fly after they had struck a blow, Bienville persuaded them to attack the Natchez village first, promising to return and take the other one afterwards. The Choctaws appeared satisfied, and their guides, leading the army as if to conduct it to the point agreed upon, came to a small prairie, where were three little villages placed triangularly on the crest of a ridge, at the foot of which flowed a brook almost dry. This little prairie was separated only by a small forest from the large prairie where lay most of the Chickasaw villages. Bienville defiled his army the length of the woods that skirted the prairie, and stopped on a slight eminence, where a halt was made for dinner. It was just past mid day.

The Choctaws, who had gained their point by a ruse and were before the village they desired, hastened to complete the trick by bringing on the action. With war cries and yells, they began skirmishing around the village, and drew its fires upon the French. The French officers then joined their demands to the Choctaws that this village should be at once taken. Pressed on all sides, Bienville ordered the attack. A company of grenadiers—a detachment from the French and Swiss troops—and forty-five volunteers under De Noyan, were commanded to lead it.

From the height where the French were, four or five Englishmen could be seen bustling around among the excited Chickasaws, and over one village floated the English flag. The French battalion moved out of the woods,

crossed the brook, and began to ascend the ridge. A murderous fire poured upon them simultaneously from the three villages. One of the negro mantelet bearers in front was killed. The rest threw down their mantelets and fled. The column of grenadiers, attaining the summit of the ridge and the entrance to the village, met the full fire of the hidden batteries * about them. Two or three cabins were taken and burned; but when it came to crossing, under fire, the open space between these and the next, the Chevalier De Noyan, looking about him, saw only a few officers, a remnant of grenadiers, and about a dozen volunteers. The other soldiers, hopeless at fighting an unseen enemy, were seeking shelter from the range of the loopholes behind the captured cabins, and refused to be driven out by their sergeants. Almost all the officers were killed or disabled. De Noyan and four officers fell wounded at the same moment. In vain he sent his aide to rally the soldiers; the killing of the aide among them only added to their panic. He finally got a message to Bienville that unless assistance were sent, or a retreat sounded, not an officer would be left alive. There was also a sudden alarm in the camp that a reinforcement from the Chickasaws of the great prairie was approaching. Bienville ordered the retreat, sending a company to protect it and fetch off the wounded. The officers, massed together, were found still fighting and holding their own. The Choctaws were under cover of the hill; they had lost twenty-two men, which discouraged and disgusted them not a little.

The night was passed in felling trees and making hasty defences against surprise, but the Chickasaws held themselves silent and secure in their strongholds. Bienville dared not

* Bienville thus describes the Chickasaw stronghold: "After having surrounded their cabins with several rows of great stockades filled with earth, they hollow out the inside until they can let themselves down into it shoulder deep, and shoot through loopholes almost level with the ground; but they obtain still more advantage from the natural situation of their cabins, which are placed so that their fires cross, than from all the arts of fortifying that the English can suggest. The coverings of the cabins are a thatching of wood and mud, proof against fire-arrows and grenades; nothing but bombs could damage them."

renew the attack the next morning. Litters were made for the wounded, and the humiliated French troops led the way back to the Ottibia and embarked. The water was now so low that in many places a passage had to be cut for the boats. The Tombigbee was slowly reached, and finally the Mobile. From the Tohomes Bienville heard the first news of the full extent of his disaster.

The young commandant, d'Artaguette, had set out from the Illinois at the date first named, with one hundred and forty white men and two hundred and sixty Iroquois, Arkansas, Miamis and Illinois. Arrived at the place of meeting, his scouts could discover no signs or traces of Bienville's army. The next day, the courier who had been sent to the Illinois appeared with Bienville's letter and change of plan. D'Artaguette called his officers and Indian chiefs together in a council of war. They advised striking a blow immediately. Pushing forward their march they arrived within a mile of the great Chickasaw prairie. It was Palm Sunday. The army left their baggage under a guard of thirty men and confidently took the road to the village. It was the road to certain death for all but two of them. Hardly had the attack on the village begun, when d'Artaguette saw a troop of from four to five hundred savages issue from behind the neighboring hill, and bear down upon him with such rapidity and force that the Miamis and Illinois Indians, the greater part of his army, took to flight. He turned to gain the road to his baggage, to save or at least blow up his powder. Fighting desperately, step by step, he, his officers, men, and the Iroquois and Arkansas who stood by him, struggled a short space. Then the savages overwhelmed them. Nineteen were taken alive, among them D'Artaguette, wounded in three places, and Father Senac, a Jesuit priest.

An Avoyelle woman slave, who escaped from the Chickasaws to the Alabamas some time afterwards, related the fate of the prisoners. Two were put aside to exchange for a

Chickasaw warrior in the hands of the French. The remaining were divided into two lots and burned in two huge fires prepared by the Chickasaw women. All died heroically, one Frenchman singing his death song to the last like an Indian brave.

Bienville never recovered from the pain and humiliation of this double defeat, and Diron D'Artaguet, maddened with grief at the loss of his young brother, changed from a trusty friend into a carping enemy of the governor.

Chickasaw War.—Bienville returned to New Orleans, inflexibly determined to retrieve himself by another expedition against the Natchez—an expedition which must be not only a brilliant success, but a brilliant triumph.

He wrote to France for artillery and bombs and soldiers, and to the governor of Canada for a reinforcement of volunteers. He sent engineers to explore the best routes to the Chickasaws by the Mobile and Mississippi rivers, and he kept his *coureurs de bois* diligently employed in maintaining the French sentiment among his Indian allies.

On the reports of the engineers the route by the Mississippi and Yazoo rivers was selected. Two years, 1738–1739, were consumed in building a fort and depot for provisions, at the mouth of the St. Francis river and on the opposite side of the Mississippi, at the mouth of the Margot river. The latter, Fort Assumption, was to be the meeting place for the whole army.

Two hundred horses were sent from New Orleans for transportation of the provisions, which were to be drawn from the abundant fields of the west. Beeves and oxen were ordered from the Natchitoches district. In the summer of 1739, the assistance demanded from the home government arrived—arms, ammunition, provisions, with seven hundred soldiers—bombardiers, cannoneers, miners—under the *Sieur de Noailles D'Aime*, who was put in command of all the troops.

But the new soldiers, on their arrival, suffered so severely from scurvy and fever that less than half were able to go on duty. Shipped from New Orleans as fast as possible, great numbers of them died on the way up the river. Bienville himself landed at Fort Assumption in November, with his colonial troops and Indians. He found the reinforcements from Canada and the Illinois waiting. They raised his army to the respectable strength of twelve hundred white men and two thousand four hundred savages. But it was one thing to get an army to the fort on the Margot, and another to get it into the Chickasaw country. The continual rains and the overflow made the routes laid out by the engineers impassable for the heavy wagons and artillery, while the bottom lands could be crossed only by boats or bridges. More than one-half of the live stock from Natchitoches perished in the woods before reaching the Arkansas. Three months passed and the situation did not improve. Without a road to the Chickasaws and without the means of transportation, the French army on the Mississippi saw itself threatened with a more inglorious fate than befell the one on the Tombigbee; and the safety of the Chickasaws was more brilliantly proved than ever. A council of war was held to decide how to end the campaign in the manner least mortifying to the French.

The Chickasaws, on their side, were not indifferent to the tremendous preparations made against them. From the first they had dropped, all around the neighborhood of the French camp, calumets and symbols of peace. On these hints, disdained at first, the French were now glad to act. But some warlike demonstration was necessary to satisfy the Indians, so five hundred of them, with one hundred Canadians, were permitted to go against the Chickasaw villages. With no hamperings but their light savage accoutrements, they made their way through the forest with ease and celerity. But the Chickasaws, thoroughly warned and on their guard, held themselves close in their strongholds, from which no demon-

strations could entice them, save once or twice when they came out for a brief moment to display a white flag. After some days of skirmishing, negotiations were opened, and the Chickasaw chiefs were induced to go to the French camp and ask for peace. They were cautioned, however, that they would not get it unless they consented to deliver up their Natchez refugees. The cunning savages, prepared for this condition, declared that although they had bound and imprisoned their Natchez guests, in order to surrender them to the French, unfortunately some of their young men had released them and all had escaped to the Cherokees except three.

Under the circumstances, peace was soon agreed upon. The Chickasaws made no further excuse for or explanation of the escape of the Natchez; and again the French were forced to submit to having them slip through their fingers. Bien-ville destroyed his buildings and returned with his army to New Orleans.

There, oppressed with his sense of failure, and feeling his old reputation to be no longer the same in the colony, he wrote to the Minister of Marine, asking to be relieved of his office.

1741.—While awaiting the minister's answer he applied himself with his characteristic care and solicitude to the needs of the colony. He vainly tried to get from the king the establishment of a college in New Orleans for the education of boys; and also some relief for the suffering caused by the depreciation of paper money,* by epidemics, overflows, and short crops.

* The financial affairs of the colony had been necessarily carried on largely with paper money. During the period of settlement royal warrants on the treasury in payment of salaries were used; during the Crozat charter, checks upon him had passed into current use. The card money of Canada, a most fluctuating medium, had always been in circulation, and finally the Company of the West had made an issue of paper for the payment of its debts. All these different issues appearing, and being retired, added to the arbitrary fixing of prices in the colony, and consequent speculation of money lenders, had produced financial chaos. Now, an edict of the royal government, withdrawing at short notice the paper of the Mississippi Company from circulation, threatened utter collapse and ruin.

A Charity Hospital. 1739.—An humble sailor, Jean Louis, dying in 1739, left his savings to found a hospital where the poor could be tended for charity. Bienville applied the legacy, as directed; bought a suitable piece of property, provided the **beds and proper furniture**, with medical and nursing attendance, and so inaugurated the first charity hospital in the city.*

The Minister of Marine granted Bienville's resignation and named the Marquis de Vaudreuil to succeed him. Pending the arrival of his successor Bienville endeavoured to arrange the affairs of the Indians, so that his absence from the colony would not injure it. He convened the prominent chiefs of the Alabama country at Mobile, made them presents, and had them sign treaties, which would pave the way for their good understanding with his successor. He left Louisiana forever on the 10th of May 1743. He came into the colony a youth, full of hope and courage; he left it a prematurely aged man, worn with care, anxiety and disappointment. He had given forty-five years of unremitting toil to the task left him by Iberville.

QUESTIONS.

How did Louisiana once more become a royal province? Give an account of Bienville's interview with the Natchez at St. Domingo. What did he find out about the escaped Natchez? Of the division among the Choctaws? Of his tactics against the Chickasaws? Give an account of his expedition into the Chickasaw country; his defeat and the fate of D'Artaguette. How did Bienville prepare for his next expedition? Give an account of it. What did his sense of failure force him to do? What of his solicitation for the colony? Of the first charity hospital in New Orleans? Who was Bienville's successor? When did Bienville leave the colony forever?

*This hospital was on Rampart street near Toulouse. In 1779 it was destroyed by a hurricane, but (1786) Don Andres de Almonester, out of his own fortune, erected another hospital on the same site. In 1809 this was burned, and in 1815 a third hospital was built on the square on which Tulane Theatre now stands. When this square was purchased by the State as a site for the new University of Louisiana (1831) the present noble institution, the Charity Hospital on Tulane avenue, was built from the proceeds of the sale and the contributions of philanthropic citizens.

CHAPTER XVI.

The Marquis de Vaudreuil, Governor. 1743-1753.
The Marquis de Vaudreuil was a Canadian and a son of a former governor of Canada. He came to Louisiana and found it suffering the usual fate of the royal provinces of France.

War * had been relighted in Europe between France and England, and in America the colonies of the two rival powers, always glad of an excuse, sprang also eagerly to arms, and from Canada to New Orleans the rifle and the tomahawk were kept on the alert. The Chickasaws, who from the first had only made a pretence of observing the recent treaty, rose against the French more vindictively than ever. Traveling along the Mississippi became a perilous adventure, and life in the Mississippi settlements most insecure. Even the environs of New Orleans were not safe. The German coast was surprised and pillaged, many of its farmers killed, and its women and children taken prisoners, and everywhere in the French lines sudden alarms would send the colonists, fleeing in terror-stricken bands, to the city or nearest garrison post. At Mobile the panic became so extreme that Vaudreuil had to remain there with troops for awhile to restore calm. Reinforcements arriving from France, he was able to station garrisons at the various threatened points. To protect the city from an attack by the English, he erected batteries on each bank of the river at English Turn. He also led an army against the Chickasaws, but he was no more successful than his predecessors had been. The savages, resorting to their former successful tactics, shut themselves in their forts and defied him and his army.

More alarming to the colonists than the hostilities of the Chickasaws, even, was the increasing division among the

* Called the war of the Austrian Succession, 1740, over the succession of Maria Theresa, of Austria, to the throne of her father.

Choctaws, who now, instead of using their strength in defending the French against the English, were consuming it in domestic strife and civil warfare.

In 1751 the mother country sent her last ship load of emigrants to her daughter colony, and her last donation of marriageable girls, sixty in number, to be wives for deserving bachelors.

To encourage agriculture, the king promised to buy all the tobacco raised in the colony.

Sugar Cane.—Besides tobacco and indigo another commodity had been added to the agricultural products and profits of the soil. The Jesuits of Hispaniola obtaining permission to send sugar cane and some negroes acquainted with its culture to their brethren in Louisiana, the latter were soon producing this important staple on their plantations.

Levees.—As the settlements above and below the city were now in a flourishing state of cultivation, the question of levees began to be an important one. De Vaudreuil issued the first levee ordinance in the State, requiring the inhabitants to keep up the levees before their property, on pain of having it confiscated. He also issued the first police regulations in the city of New Orleans, restricting the number of drinking saloons and the sale of liquors, and adjusting the civic relations of negroes.

In 1753 the Marquis de Vaudreuil was promoted to the governorship of Canada and left Louisiana.*

M. de Kerlerec was appointed to succeed him.

De Kerlerec. 1753-1763.—De Kerlerec was an officer of the royal navy, in which he had served for twenty-five years.

* During the last year of De Vaudreuil's government the following incident occurred, which was made the subject of a drama by a French officer, Le Blanc de Villeneuve, who was stationed in the colony at the time.

A Choctaw and a Collapissa had a quarrel, in which the latter killed the former and fled to New Orleans. The relatives of the Choctaw came to the city to demand the Collapissa from de Vaudreuil. The Marquis, after trying in vain to pacify the Choctaws, was obliged to order the arrest of the murderer; but he made his escape. His father went to the Choctaws and offered his life in atonement for the crime of his son. They accepted. The old man stretched himself on the trunk of a fallen tree, and a Choctaw at one stroke cut his head from his body.

Like his predecessor, he was to conduct his administration under the shadow of war.

Seven Years' War. 1756-1763.—It was no mere question of succession to distant thrones that was this time to wet the soil of America with the blood of her colonists. The dispute was native to the country and one which had been growing since its first settlement. The time had come when it had to be decided to which of the European powers America was to belong; whether its future development was to be according to the religion and thought of the Anglo-Saxon or of the Latin race; whether the Lilies of France or the Cross of England should recede.

The rival colonists had clashed over every boundary line, and fought over every advanced post in the continent. As we have seen, the policy of France was to unite Canada and New Orleans by a chain of fortified posts, which should insure her the possession of the great waterways of the continent, and crowd England between the Alleghanies and the Atlantic coast. Midway between Canada and Louisiana lay the valley of the Ohio. Should the English gain possession of it, they would cut in two the French line of fortifications and sever the territory of Louisiana. The English had already sent out from Virginia and established trading posts along the branches of the Ohio, and their traders were deftly winning the Indians into allies. The French, quicker in action than their rivals, descending through Lake Erie, drove the English away and built three forts to guard their position. One of them, Fort Duquesne,*

* An interesting episode connects Louisiana with Fort Duquesne. George Washington, then a colonel in the Colonial army, was sent by Governor Dinwiddie of Virginia, against the fort. On the route he heard of a French detachment coming to surprise him. He manœuvred to surprise it, and in the engagement Jumonville, the ensign in command, was killed. Jumonville de Villiers (the ancestor of one of our distinguished creole families), the brother of the ensign, obtained permission of Kerlerec to leave his station at Fort Chartres and go to avenge his brother's death. He hastened to Fort Duquesne with a large force of Indians and soldiers, Washington, with his men, lay entrenched in a rude fortification called Fort Necessity, not far from the scene of his first engagement. Jumonville attacked him, and, after a sharp fight, had the honor of forcing the future "Father of his country" into surrender.

on the forks of the Monongahela and the Alleghany rivers (site of the present city of Pittsburg), commanding the key of the situation, became the first objective point in the momentous conflict.

Although the seat of war was in the far north, Louisiana suffered her measure of damage from it. Her ships of supplies from France and the islands were intercepted and captured by vigilant British privateers. Her commerce was burdened with the expenses and necessities of the war in Canada, could neither renew the supplies nor protect the commerce. The yearly tribute of presents to the various Indian tribes had to be suspended, and this sent the discontented warriors into trading and treating with the English. The poorly clad, poorly nourished and ill paid soldiers also deserted in large numbers from their different garrisons to the ever convenient English.*

Kerlerec put the colony into the best state of defence possible with his inadequate means. His only reliance was upon the Swiss mercenaries, and these he distributed among the untrustworthy French soldiers in the different posts throughout the Mississippi and Alabama country.

City Defences.—A fortification consisting of a palisade wall was made around the city. The batteries at English Turn were repaired and resupplied, and a vessel was stationed at the mouth of the river, to be sunk in the pass in case of emergency.

From time to time the news of the fortunes of the distant hostilities drifted into the colony. Early in 1759 there came floating down the river boats containing the garrison and officers of Fort Duquesne, which, after much gallant fight-

*In the summer of 1754, four of the soldiers of the garrison of Cat Island rose and murdered their officer, who ill treated them. They tried to escape to Georgia, but a party of Choctaws sent after them captured them. One killed himself. The rest were brought to New Orleans. Two were broken on the wheel; the other, belonging to a Swiss company, was, according to the law of Swiss troops, nailed into a coffin, which was sawed in two through the middle.

ing on both sides, was evacuated and abandoned by the French. The news of the fall of Quebec and Montreal followed in due time, and eventually that of the complete triumph of the English over the French. The Lilies of France had been forced to retire and yield the north to the Cross of England.

Treaty of Paris. 1763.—By this treaty between England, France and Spain, France signed her defeat and made over to Great Britain all her territory on the North American continent, east of the Mississippi, with the exception of New Orleans, and the adjacent district called the Island of Orleans, lying between Manchac and the Lakes.

Spain received back Havana, which had been captured by the English, but paid for it by the cession of Florida, and all her possessions east of the Mississippi.

Louisiana Ceded to Spain.—With the loss of his Canadian possessions, the King of France could not hope further to withstand the advance of England in America. To save Louisiana, therefore, from the fate of Canada, he made a secret donation of it to his kinsman, Charles III, King of Spain, at Fontainebleau, on the 3d of November, 1762, the same date on which he signed the preliminaries of the peace of Paris.

During Kerlerec's administration, discord both civil and ecclesiastical was rife in the city. Violent quarrels broke out between the Capuchin priests, who had legal spiritual charge of the colony, and the Jesuits, who, though only tolerated as visitors, had managed to gain a large following, to the weakening of the influence of the Capuchins. The Superior Council was invoked by the Capuchins to interfere and prohibit this usurpation, as they called it, of the Jesuits.

A still more violent quarrel broke out between the governor and the royal commissary, Rochemore. On charges of the latter, an investigation was ordered into Kerlerec's administration. The report being against him, Kerlerec was recalled to France and thrown into the Bastile.

A stride in advance in the sugar culture has to be chronicled during this administration. The experiment of the Jesuits having proved successful, the Sieur Dubreuil put his whole plantation in cane, and erected a mill and made an experiment at boiling the juice.*

Abadie Governor. 1763.—The chief magistracy of the province was vested in M. d'Abadie, under the title of Director General. The military force was reduced to three hundred men, under the orders of Aubry, as senior captain.

The cession to Spain being, however, still a secret in Louisiana, the colony thought herself to be, and appeared still to be as before, a French province.

British Take Possession.—The Spaniards retired from Florida; and from post after post in the Illinois, Alabama and Mississippi regions, the French flag and garrison were withdrawn, to be replaced by the British. French and Spanish names were changed for English ones: Fort St. George at Pensacola; Fort Charlotte at Mobile; Fort Panmure at Natchez, etc. The transfer of authorities was made amicably and expeditiously. The Indian allies of the French made here and there a few attempts at guerilla warfare against their new masters; but the French interposing peaceably, most of them ended by following the French flag in its retreat and settling around New Orleans.

In a few months English vessels traveling up and down the Mississippi became a familiar sight. They became also a welcome one, for, fetching in articles of commerce of which the colonists had been so long deprived by the war, they acquired a thriving though illicit trade all along the coast. Tying their boats to a tree a short distance above New Orleans, they attracted customers even from the city.†

* The sugar was so badly made, however, that it leaked out of the hogsheads on its way to France; and the ship was so lightened that it came near upsetting.

† As it was under the pretext of going to Manchac, where they were building a fort—Fort Bute—that the English vessels traveled up the river, the place where they tied up for the contraband trade was called "Little Manchac." "I am going to Little Manchac" was the current expression for a shopping excursion to this con-

Jesuits Expelled. 1763.—In accordance with the policy in Europe toward the Jesuits, by which they were expelled from France, Spain and Naples, Abadie was forced to expel them from Louisiana. All their property, including their fine plantation, was sold at auction, and the Fathers made to leave the colony in which, in truth, they had done all to benefit and nothing to injure.

Cession to Spain Made Known. 1764.—In the month of October, 1764, Governor Abadie received from his sovereign, Louis XV, the communication which made him acquainted with the cession of Louisiana to Charles III, King of Spain. He was ordered to remit the government to the officer or envoy sent by the King of Spain to receive it, evacuate the territory and retire to France with all his officers and all the soldiers who did not wish to engage in the service of Spain.

The publication of this communication threw the colonists into the greatest grief and consternation. They had been forced to submit to the triumph of the English flag, and the loss to England of all the magnificent country bought with two centuries of their blood and labor; but that was according to the fortunes of war. Now they were called upon to yield the last portion of the continent over which the French flag floated and see themselves and the great mouth of the Mississippi tossed like a trifle to a nation who had never lifted a finger for them, a nation too insignificant as a foe to be much esteemed as a friend.

M. d'Abadie died in 1765, and thus could not carry out his instructions. The government was put in to the hands of Aubry, the commander of the royal troops.

The Acadians. 1764-1765.*—Before the feelings of the colonists had time to calm, there arrived in their midst a band of

traband depot. D'Abadie, seeing the necessities of the colonists, closed his eyes to the custom.

* Acadia, or Nova Scotia, as it is now called, had been conquered from France by the English, and transferred to the British crown, by the treaty of Utrecht, in 1713. It was stipulated that those of the French who chose to remain in the country as subjects to the King of England should enjoy free exercise of their reli-

compatriots whose unhappy fate seemed to foretell their own. On the open levee, in front of New Orleans, a weary band of twenty pilgrims from Acadia landed and told their sad story—a story which has found worthy immortality in verse.† Their country also had been ceded away; their homes, their churches, their allegiance.

The citizens greeted them with tender and generous hospitality, furnishing them food, clothing, lodging and sympathy. Aubry gave them land, settling them on the river bank above the German coast, at what is still known as the Acadian coast. Succeeding bands were located in the Lafourche, Attakapas and Opelousas district, where their descendants live to this day; a worthy, industrious and frugal population, retaining, even in the wealth and official distinction that many have attained, the primitive faith and simplicity of their early history.

QUESTIONS.

Who was the Marquis de Vaudreuil? What of the war declared in Europe? Give account of colony and city under De Vaudreuil? Who succeeded to De Vaudreuil? Give an account of the Seven Years' War. Kerlerec's defences. The treaty of Paris. British possession of the country. Expulsion of the Jesuits. When was the cession to Spain made known? What of its effect on the colony? Who succeeded to Abadie? Who were the Acadians?

gion; the rest were allowed to remove within a year. Very few withdrew. Most of them hoped that something might occur to prevent the necessity of it. Ill will between the new and old possessors of the land was to be expected. The English accused the priests of encouraging it, and suspected the Acadians of inviting Indian war parties into the country. A new and still more binding oath of allegiance to England was drawn up, and for years the English tried to force it upon the Acadians. It was then decided that all who refused to take it should be removed from the country. The number removed was over 6000. Many were settled in the British colonies from Massachusetts to Georgia. Wretched, among a people hating them for their religion and their nation, they soon began a pilgrimage to Canada and to Louisiana. Ship loads of Acadians were transported to England, whence they made their way to France, where they were settled in the interior of the country or sent in colonies to the French establishment in Guyana and the West Indies. From the West Indies the Acadians voyaged over the Gulf of Mexico to join their brethren in Louisiana, and here they were afterward joined by the wanderers from Guyana. In 1784, in consequence of negotiations with Spain, all the remaining Acadian refugees in France were sent to Louisiana. From 1764 to 1788 it is calculated that the Acadian immigration to Louisiana numbered over 4000 souls.

† Read "Evangeline," by Longfellow.

CHAPTER XVII.

RESISTANCE TO SPANISH DOMINATION.

The Louisianans were not to be ceded away from their country and flag without a protest. Public sentiment ripened into action. Each parish throughout the colony was requested to send delegates to a meeting to be held in New Orleans. The parishes responding with their best and most notable citizens, a large and impressive assembly met. The attorney general, Lafreniere, opened proceedings with an energetic and eloquent speech, proposing a resolution in which the colonists of Louisiana *en masse* supplicated the King of France not to sever them from their country *. The resolution passed unanimously, and Jean Milhet, one of the richest and most influential merchants of New Orleans, was deputed to carry it to France and lay it at the foot of the throne.

Milhet departed on the first vessel. In Paris he sought out Bienville, now a white-haired patriarch eighty-six years of age. Together, they went with the memorial to the Prime Minister, De Choiseul, whom they asked to present them to the king. But as De Choiseul had been the counsellor of the cession of Louisiana, he was not in the mind to further any remonstrance against it. He received the deputies with civility and listened to them with patience, but he so artfully thwarted their designs that Milhet was never able to present his paper.

Over a year passed after the official news of the cession and after the meeting; Milhet did not return from France, and no Spanish envoy presented himself to take possession of the

* The following are the names of those who were foremost in the first political convention held in Louisiana: Lafreniere, Doucet, St. Lette, Pin, Villeré, the chevalier d'Arensborg, Jean Milhet, Joseph Milhet, St. Maxent, De la Chaise, Marquis, Garic, Masson, Masange, Poupet, Noyan, Boisblanc, Grandmaison, Lallarde, Lesassier, Braud (royal printer), Kernion, Carrere, Dessales, etc.

colony. To all appearances either the King of Spain or the King of France was hesitating about it. The colonists therefore rebounded from their first feeling to hope and courage.

Ulloa. 1766.—Suddenly the bright horizon darkened. A letter came to the Superior Council in July, 1766, from Don Antonio de Ulloa, announcing his arrival in Havana on his way to take possession of Louisiana, of which he had been appointed governor. He did not reach the colony, however, until the following spring. He was accompanied by two companies of infantry, a commissary of war, De Loyola; an intendant, Navarro; and a royal comptroller, Gayarre. They met a respectful but cold reception from the citizens.

Requested by the Superior Council to present his credentials, Ulloa refused, saying that he did not wish to take possession until the arrival of the rest of the Spanish troops, adding that he had nothing to do with the Superior Council, which was a civil tribunal, and that in taking possession he only recognized Aubry as competent to treat with him.

The colonists fell again into despair over their situation. Instead of mitigating it by his personal influence, Ulloa only rendered it worse, and the prospect of submission to him became unendurable. Although a distinguished man of science and letters, he was most unattractive and impolitic. Cold, haughty, reserved and dictatorial, he was in every respect a painful contrast to the people whom he was sent to govern; and, restricting his intercourse entirely to the military governor, Aubry, he ignored the colonists in a manner most exasperating to the independent, free-spoken creoles.

He offered to take the French soldiers into the service of Spain, but they refused to change their allegiance. The Spanish soldiers were lodged, therefore, apart from them, and Aubry was forced to garrison the city with his troops and still to act the part of governor. In reality he was only the mouthpiece and deputy of Ulloa, who assumed surreptitiously all the rights of his unacknowledged official position.

He had a census of the inhabitants taken, made a tour of inspection of the different military establishments in the province, and as Aubry had received no money from France to pay French soldiers or to carry on the government, he advanced him the funds to do so. He issued various ordinances and decrees, one of them forbidding trading vessels entering the port without previously submitting to him the estimate and price of their cargoes, and restricting all trade to six Spanish ports and to vessels commanded by Spaniards. Vessels sailing to or from Louisiana were even prohibited from entering any Spanish port in America, except in case of distress, and then had to submit to strict examination and heavy charges.

What the people of Louisiana most dreaded in the transfer to Spain was the application to them of the narrow-minded decrees of trade framed for the Spanish colonies, which would ruin their commerce to the profit of the commerce of Spanish ports. This decree of Ulloa was the realization of their worst fears. Commercial ruin stared them in the face.

The merchants, in a body, presented a petition* to the Superior Council, signed by names that are still distinguished in Louisiana, begging a suspension of the decree until they could be heard on the subject. The ship captains also presented a similar petition.

Ulloa meanwhile descended the river to the Balize, and remained there seven months, awaiting the arrival of the wealthy lady from Peru whom he was to marry. Aubry made peri-

* The merchants who signed the petition against the decree to the Superior Council, were: Joseph Milhet, Rose, Cantrelle D. Brand, J. Mercier, L. Ducrest, Petit, Duforest, Toutant Beauregard, L. Boisdore, B. Duplessis, Bracquier, P. O. Caresse, J. Vienne, P. Segond, Voix, Durel, Blache, M. Poupet Jr., Poupet, Estebe, Rodrigue, J. Sauvestre, G. Gardelle, Ducarpe, F. Durand, J. and N. Boudet, Rivoire, Macuenara, F. Denis, J. Arnoult, A. Renard, P. Senilh, A. Bodaille, Laulhe, Dubourg, Festas, Frigiere, Ranson, Fournier, St. Pe, Detour, Villefranche Salomon, Delassize Blaigat, Langlois, Fortier, Lafitte, Henard, Estady, Astier, Brunet, Bienvenue, Sarpy, Doraison, Cavelier, Papion, Gaurrege, Revoil, Guezille, Guignan, St. Anne, Moullineau, P. Hery, A. Ollivier, Broussard, Dumas, Grueumard, Chateau, Simon, Hugues, Sarrou, Raguet, Nicolet, Brion, Betremleux, Blandin, Duterte, Bijon, D'Hubeck, Duralde, Bonnemaïson, Joli, Forstal, L'Enfant.

odical visits to him; during one of which he signed a secret act, putting Ulloa in possession of the province, and at the same time authorized him to raise the Spanish flag whenever he wished. Relieved from the presence of Ulloa and still awaiting the result of Milhet's mission the colonists began again to indulge their patriotic dreams.

Milhet returned from France; instead of the good news expected, he brought the report of total failure. Indignation succeeded to disappointment. Throwing off all concealment, the colonists voiced their hatred of Spain and Ulloa, and their loathing of the yoke about to be put upon them. Calm was completely destroyed. From one end of the colony to the other the wildest excitement prevailed. Meetings were held in which heated addresses increased still more the violence of feeling. Finally the country was again invited to send delegates to another grand meeting to be held in the capital.

As before, Lafreniere took an important part and made an impassioned speech. He was ably sustained by the two brothers Milhet, and by Doucet, a lawyer lately arrived from France. The proceedings terminated by an address to the Superior Council, calling upon it to declare Ulloa an usurper and oppressor for having raised the Spanish flag in several places in the colony without having exhibited and registered his credentials at the Superior Council or in such a manner that the citizens could see them; for having on his own private authority and without reason detained captains and their ships in port; for having put French citizens under arrest on board the Spanish frigate; and for having held councils with Spanish officers in which decrees of arrest had been rendered against French citizens; the citizens, therefore, prayed the Superior Council to order Ulloa out of the colony. The paper was signed by five hundred and fifty respectable names. It was ordered printed by the royal commissary and circulated in every parish. After the address was read to the council and handed to a committee for consideration, the

attorney general * submitted a brief in which the duties of councils and parliaments to the people were explained and the legal points bearing upon the competency of the Royal Superior Council to act in the premises exposed.

On the 29th of October the petition was taken up by the council, and after some debate a decree was passed ordering Ulloa to produce his powers from the King of Spain, if he had any, that they might be recorded in its minutes or to depart within a month. Ulloa accepted the last alternative, and on the following afternoon embarked with all his household on a frigate then at the levee. Aubry with a detail of soldiers escorted him and left a guard on the vessel.

Expulsion of Ulloa.—At daylight the next morning a crowd of revelers, who had passed the night at a wedding feast, appeared on the levee shouting, and singing patriotic songs. The frigate, containing the hated Spaniard and his equally hated wife, lay before them in the gray dawn. They could not resist the temptation; one of them cut its ropes, and with delight the crowd watched the vessel move from its moorings, yield to the current and drift away from the city.

A few days afterwards a memorial or manifesto, explaining and justifying the expulsion, was printed and disseminated. The Superior Council despatched one of its members, Mr. Lesassier, with a copy of the decree and an explanatory letter to the Minister of Foreign Affairs in France. The citizens sent another address to the king voicing their sentiments against Ulloa, and praying to be allowed to remain Frenchmen, and Aubry, who had protested against the expulsion, also wrote his account of the affair, reiterating what

* Lafreniere in his speech referred to the successful opposition of the British American colonies to the Stamp Act, and drew the attention of the council to the noble conduct of the people of Burgundy in 1526, when summoned by Launoy, the viceroy of Naples, to recognize as their sovereign the emperor Charles V, to whom Francis I. had ceded the province by the treaty of Madrid. The States and courts of justice being convened to deliberate on the emperor's message, they unanimously answered that the province was a part of the French monarchy and that the king had not the power of alienating it. The nobles resolutely declared that if the king abandoned them they would resort to arms and the last drop of their blood would be spilt in defence of their country.

he had written shortly after the arrival of Ulloa, that notwithstanding the Spaniard's reputation in all the academies of Europe, he was not the proper man to govern the colony, not having the qualities requisite to command Frenchmen. Instead of gaining the hearts of the people, he had done everything to alienate them. He seemed to despise the colony and particularly the Superior Council, and by his indiscreet conduct had rendered the Spanish domination dreaded, uttering threats which menaced a horrible tyranny in the future. Aubry also described the great distress financial and commercial, since the advent of Ulloa, the depression of all values and the decrease of population.

Ulloa from Havana sent to his government a report of the insult to his king and to himself. He passed in review by name the men who had taken a prominent part in the rebellion, as he called it. He described them as extravagant and overwhelmed with debts and only seeking in revolution an escape from their responsibilities. All, he said, were children of Canadians, who had come to Louisiana axe on shoulder, to live by the work of their hands.

The momentary calm that follows the storm fell over Louisiana and the Louisianians. During the interval between the sending of their communication to their government in France and getting an answer, there was much discussion and speculation about future events. There had been a thought of casting off all monarchical allegiance, and making Louisiana a republic under the protection of England, and three months before the expulsion emissaries had been sent to the English governor at Pensacola to sound him on the subject. The English official returned an unfavorable answer, however, and, it is said, betrayed the communication to Aubry, who, in his turn, delivered it to the Spanish governor.

O'Reilly. 1769.—Like a thunderclap, six months afterwards, came the announcement from the commandant at Balize

of the arrival of Count O'Reilly, lieutenant general of the armies of Spain, with a formidable number of ships and troops. The news was enough to chill the colonists with fear. The pitiless, bloody record of Spain as an avenger in the past arose before them, with the vision of their own defenceless position. The leaders of the Spanish opposition hastened to Aubry, in despair at what they had brought upon the colony. The French general reassured them. As no blood had been shed in the expulsion of Ulloa, he thought that a prompt submission would be accepted as sufficient atonement for the past. He sent an officer to tranquilize the inhabitants along the coast and warn them to keep quiet.

That evening a Spanish officer arrived with dispatches from O'Reilly, stating that he had come to take possession of the country for the King of Spain and would exhibit his credentials at his first interview with Aubry. The next day Aubry assembled the citizens and made them an address announcing the arrival of the Spanish envoy; counseling submission and obedience, and taking upon himself to assure them that if they followed his advice they could have full confidence in the clemency of the King of Spain.

Lafreniere, one of the Milhets and Marquis, offered to go personally to O'Reilly to present their submission and the submission of the citizens. Aubry gave them a letter of introduction, and O'Reilly received them courteously. Lafreniere introduced himself and companions as delegates from the people, charged to make profession of submission and respect to the King of Spain. Throwing the blame of what had occurred on the illegal conduct of Ulloa, he protested that the credentials which O'Reilly brought were more authoritative to the colony than the army under his command; but the colony implored his benevolence for such privileges of time as would be needed by those who should wish to emigrate from it. O'Reilly responded kindly that it was not possible for him to come to any decision until he

had examined all the facts of the case on the spot; that the colonists could be assured that no one loved to do good more than he, and that it would plunge him into despair to cause the smallest injury to any one. He begged the colonists to be tranquil, and trust to his good sentiments toward them. He mentioned the word sedition; Marquis interrupted him and explained that that word was not applicable to the colonists. O'Reilly kept the party to dinner, treated them with all courtesy, and sent them away full of hope in regard to the past. Their report of the interview calmed the agitation in the city, which sank into much needed repose and peace.

QUESTIONS.

Give an account of opposition to Spanish domination. Arrival of Ulloa. Refusal to exhibit his credentials. Expulsion. Their communication to the home government. Further proceedings of the colonists. O'Reilly's arrival.

SPANISH DOMINATION.

CHAPTER XVIII.

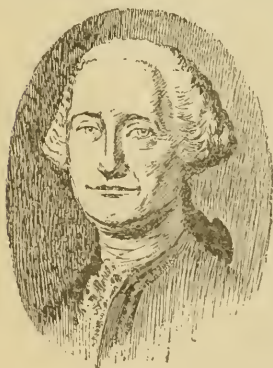
O'REILLY TAKES POSSESSION.

On the night of August 17, 1769, the Spanish frigate, followed by twenty-three other vessels, sailed up the river and anchored in front of the city.

At mid-day of the 18th Aubry had the general alarm beaten. The troops and militia marched out and formed, facing the vessels, on one side of the Place d'Armes. General O'Reilly landed, and three thousand soldiers filing after him formed on the other three sides of the open space.

O'Reilly, advancing to Aubry, presented his credentials from the King of Spain and his orders to receive the province. The papers were read aloud to the assembled citizens. Aubry made a proclamation relieving the colonists from their allegiance to France, and delivered the keys of the city to O'Reilly. The vessels discharged their guns, the soldiers fired salvos of musketry and shouted. The Spanish flag was raised on all public buildings, the French flag lowered. Spanish guards relieved the French guards. A Te Deum was then celebrated at the church, and the ceremonies terminated by a grand parade of the Spanish military, who, with their discipline and finished equipments, presented a truly awe-inspiring appearance to the colonists.

O'Reilly took up his residence in one of the handsomest houses in the city and assumed a mode of life more regal and



O'REILLY.

stately than had ever been displayed by any previous governor. In the largest apartment of his hotel a kind of throne was placed under a canopy, and here, like a mimicking king, he gave audiences and held receptions. The colonists, faithful to their professions, came in numbers to pay their respects. They were accompanied by their wives and daughters, who, with their personal attractiveness and handsome toilettes, endeavored to throw the graceful charm of society over the grim and sombre state of a military ceremony.

The Spaniard maintained a graciousness of demeanor which exceeded even the most sanguine expectations. He had written, however, privately to Aubry, demanding full and entire information respecting the expulsion of Ulloa, with the literal citation of all orders, protestations, and pub-

lic and private documents relating thereto, and particularly the names of the persons who wrote and published the decree of the council ordering the expulsion and the manifesto succeeding it.

Aubry, accepting the role of informer, furnished not only all that was officially required, but such gratuitous personal evidence as would make him agreeable to the Spaniards. Masan, Chevalier of St. Louis; Foucault, the commissary; Marquis, ex-captain of a Swiss company; the two De Noyans, nephews of Bienville; and Villeré, were named as the richest and most distinguished citizens who had taken part in the Spanish expulsion. All the documents with signatures attached, and the manifesto with Braud's stamp as printer, were put into O'Reilly's hands.

Upon different pretexts, O'Reilly secured the attendance of Lafreniere, De Noyan, the two Milhets and Boisblanc on the same day at his levee. He received them with more than his usual courtesy, and suavely begged them to pass into the next room with him. They complied unhesitatingly, walked into the apartment and were surrounded by Spanish grenadiers with fixed bayonets. Then throwing off his mask, O'Reilly denounced his guests as rebels to the King of Spain, informing them that they were prisoners of state and their property and fortunes confiscated. The gentlemen, then under strong guard, were conveyed to the places which had been selected for their imprisonment; some to the barracks, some to the frigate in the river, and some to their houses, where a guard was stationed.

Villeré, who had been marked also for arrest, was on his plantation on the German coast. On the news of O'Reilly's arrival he had intended to put himself and family under the protection of the British flag at Manchac, when he received a letter from Aubry assuring him that he had nothing to apprehend, and advising him, on the contrary, to come to the city. As flight seemed to imply a consciousness of guilt, this advice

was more congenial to Villeré's character. He set out at once for New Orleans. At the city gate he was stopped and carried a prisoner aboard the frigate. Madame Villeré, hearing of her husband's arrest, hastened also to the city, and taking a boat had herself rowed to the frigate. She was ordered away. Villeré, hearing the supplicating voice of his wife, made an effort to get on deck to see her. The sentinel opposed him. There was a struggle, and the gallant creole fell, transfixed with a bayonet. He died shortly afterwards.

Trial of the Patriots.—O'Reilly confided the trial of the prisoners to his own officials, who made all the examinations, records of testimony, etc., necessary for a prosecution for treason according to Spanish criminal law.

Foucault pleaded that as he was royal commissary of the King of France, he was accountable only to him. His plea was sustained. Braud pleaded that he had printed the manifesto only on order of Foucault, which, as royal printer of Louisiana, he was bound to respect. He was released. The other prisoners confined their defence to a denial of the jurisdiction of the tribunal before which they were arraigned. They claimed that the offences with which they were charged took place while the flag of France was waving over them and the laws of that kingdom were still in force in the colony, and that as the people of Louisiana could not wear the yoke of two kings at once, they could not at the same time, offend against the laws of two kingdoms. O'Reilly had decided from the first, for an example, to proceed with the utmost rigor of the law against six of the prisoners, and as the law authorized a less severe punishment than death unless the charge was proved by two witnesses, the trial in reality was merely to separate those who were to lose life and property from those who were to lose liberty and property. As there was no defence made, the accusation meant condemnation. The sentence condemned Nicolas Chauvin De Lafreniere, De Noyan (the nephew of Bienville), Pierre

Caresse, Pierre Marquis and Joseph Milhet to death. They were to be conducted to the place of execution on asses, with ropes around their necks; to be hanged, and to remain hanging until O'Reilly ordered otherwise. Warning was issued against any one's rescuing the bodies or in any way frustrating the execution of the sentence on pain of death. As Villere had already met his punishment, all that Spanish authority could do was to condemn his memory as infamous. Petit was sentenced to prison for life; Masan and Doucet for ten, and Boishlanc, Milhet and Poupet for six years. All copies of the manifesto and all papers relating to the event were to be burned in the public place by the hangman.

Execution of the Sentence. October 28, 1769.—As there was no white hangman* in the colony, however, O'Reilly was persuaded to allow the condemned to be shot. On the morning of the fatal day the guards were doubled at every gate and station of the city. All the troops were put under arms and were kept prepared for action along the levee and on the public square. Those of the citizens who could, fled into the country. Doors and windows were barred; all sign and sound of life suppressed. At 3 o'clock the patriots were led out of their prison to the square in front of the barracks. They were tied to stakes and received their death with the calm firmness of the innocent and of the brave.

O'Reilly Governor. 1769.—In the cession of the colony, Louis XV had expressed the hope that justice should be administered according to the accustomed laws, forms and

*Dumont relates: "As at one time there was no executioner in the colony and no one who would take the exercise of the office, and as every well organized government needed an official executioner, it was decided to give the charge to a negro, named Jeannot, belonging to the Company of the Indies. He was summoned and told what was intended. He tried to get out of it, although the office would have given him his freedom. But he saw that there was no escape, that he would be forced into it: 'Very well,' he said 'wait a moment.' He hastened to his cabin, seized a hatchet, laid his arm on a block of wood, and cut off his hand. Returning he showed his bloody stump to the commissioners. Another negro, however, was persuaded to take the office."

usages of France. O'Reilly, in his policy of reconstruction, heeded no such desire. A proclamation in November announced to the colonists that all hitherto existing forms of government were abolished and that Louisiana was to be placed under the same regulations that reigned in other Spanish colonies. For the Superior Council, a *cabildo* was substituted, composed of six *regidores*, two *alcades*, an attorney general, syndic and clerk, over all of which the Spanish governor was to preside. The Spanish language was ordered to be employed by all public officers; and the colony was to be made as far as possible Spanish, at least in appearance.

During the winter the governor made a tour of inspection of the settlements along the river coasts. The most notable planters were invited to meet him; but he received only a dignified and cold submission from them. Some of the French soldiers enlisted in the Spanish service. Many were discharged and received grants of land; those who wished to remain in the French service were offered free passage to St. Domingo or France. Aubry sailed with those who returned to France. His vessel reached the continent in safety, but foundered in the river Garonne. Aubry perished, with nearly all on board.

Large numbers of merchants and mechanics of New Orleans, having no taste for the sample of government they had seen, emigrated to St. Domingo. Many of the most prosperous planters followed them. The movement, indeed, became so great that O'Reilly, to check it, withheld passports from the applicants.

O'Reilly, himself, took his departure from the colony during the summer, leaving behind him a reputation which has become immortalized in Louisiana in the sobriquet of "Bloody O'Reilly."

He appointed as successor one of his colonels, Don Luis de Unzaga.

Unzaga Governor. 1770-1777.—Unzaga's appointment was confirmed by the court of Spain. His mild and easy administration relieved the colonists from the gloom into which the horrible rigor of O'Reilly had plunged them. He married the daughter of a prominent creole of the province, and some of his officers following his example, good will was not long in being established between the two nations. But the colony was nothing more than a royal apanage. The narrow-minded commercial policy of Spain which the New Orleans merchants had dreaded was applied rigorously, and it produced the effect they had predicted—it killed all enterprise. The only trade carried on was still by the alert English in contraband. Besides large warehouses in Manchac, Baton Rouge and Natchez, and their vessels of goods moored at Little Manchac, they now had two large boats, with their cabins fitted out like stores, which they kept traveling up and down the river, stopping at the call of any planter. Unzaga closed his eyes at the infraction of the law, without which he knew it would be impossible for the colony to subsist.*

War of Independence. 1775.—In the British colonies resistance to the arbitrary taxation of the home government had culminated in the memorable war which was to result in the independence of America and the federation of the United States. During the desperate struggle that ensued after the battle of Lexington, the need of supplies by way of the Mississippi brought American merchants and emissaries to New Orleans, where, with Unzaga's connivance, they established commercial connections to buy arms and ammunition to ship to the colonial forces.

* It was during Unzaga's administration that the celebrated religious war between the French and Spanish Capuchins took place; from the Spanish father, Cirilo, attempting to substitute the grim fanaticism of Spanish practices for the pastoral government of the French father, Dagobert, an episode much celebrated in local fiction and poetry, and one which has elevated the French Capuchin, good Father Dagobert, into the ecclesiastical hero of the place. Unzaga acted during the troublous discussion with the toleration and equity which eminently distinguished him in all his administrative difficulties.

Unzaga was appointed captain general of Caraccas and was succeeded by Don Bernardo Galvez.

Don Bernardo Galvez. 1777-1785.—Galvez was a brilliant young officer of twenty-two, the colonel of the Spanish regiment of Louisiana and powerfully connected; his father being viceroy of Mexico and his uncle secretary of state and president of the Council of the Indies, an office second in authority only to the king.



BERNARDO DE GALVEZ.

Galvez, like Unzaga, did all in his power to render his nation and his government acceptable to the colonists. He opened his administration by mitigating the strict decrees against

trade, and French vessels were once more permitted to land at New Orleans. Competing with the English, they soon succeeded to their monopoly, and enterprise and activity revived among the creole merchants and planters, who were further encouraged by the offer of the Spanish government to buy in future all the tobacco raised in the colony. In the city, assistance was furnished more and more openly to the warring American colonies. Not only were regular shipments of supplies made to Virginia and Pennsylvania, but emissaries passing backward and forward in their effort to stir up a revolt also in the Floridas made it a stopping place and rendezvous. An American in Philadelphia even fitted out in New Orleans an expedition against the British posts which captured the fort at Manchac and ravaged the plantations as far as Natchez. //

War.—It could not be expected that France should remain neutral in the conflict between the Americans and her old foe.

From private encouragement and assistance she passed to open recognition of the independence of the revolted colonies and to a treaty of alliance with them. England responded by hostilities against France. Spain offered her mediation for a general peace based on the separation of the colonies from the mother country. England, haughtily refusing, Spain determined to take a hand herself in the quarrel, by declaring war against England. It was the opportunity above all others desired by Louisiana's young martial governor.

Capture of British Forts.—Galvez mustered a force of about fourteen hundred men, composed of the colonial militia, Indians, colored soldiers, and volunteers from the Americans in the city. Marching up the river he captured Fort Bute; forced Baton Rouge to capitulate, and in her capitulation to include Fort Panmure at Natchez, and three other small garrisons in the neighborhood.

Mobile Captured. 1780.—Returning to New Orleans, he immediately commenced preparations for an expedition against Mobile, and sailed from the Balize with over two thousand men. In the gulf he was overtaken by a storm, which came near wrecking the whole expedition. He succeeded, however, in reaching Mobile river, and, in spite of the confusion and demoralization of his army, marched to Fort Charlotte and forced its surrender.

Expedition Against Pensacola. 1781.—The conquest of Pensacola was next determined upon, but this place was too well fortified for Galvez to hope for the easy triumphs of the past. He sent to Cuba for troops. The captain general promised but did not send them. Galvez then sailed there in person and obtained them. Returning across the gulf, he encountered a terrible hurricane; many of his transports foundered, the rest were dispersed. He put back to Havana, collected and refitted a new armament and sailed for Pensacola with a ship of the line, two frigates, several transports and fourteen hundred men, with full equipment of artillery.

He landed on the island of St. Rosa in March, and erected a battery to protect his ships while crossing the bar. But when the attempt was made the commodore's ship got aground and he refused to proceed. Galvez had the channel sounded, and found water enough for his largest vessels, but the Spanish officers still refused to risk the royal fleet, in a channel they did not know, under fire of a formidable fort. Galvez then decided to carry through his own colonial gun-boats and thus force the Spanish commodore into following his example. Towards noon he went aboard, ordered the pennant to the mainmast, salutes fired and sails set. The fort commenced a brisk cannonade, but his boats sailed triumphantly through it, and Galvez landed on the island of St. Rosa, amid the acclamations of his men. The rest of the fleet crossed the bar next day with like success.

Attack.—After some parley, with a view of excluding the town of Pensacola and its inhabitants from exposure to the fortunes of war, the English commander withdrew with all his forces into the fort. The Spaniards threw up their earth works on both sides the British walls and stationed their batteries. From these and from the fleet in front a tremendous fire was poured into the fort. Again and again the men were driven from their guns, but the Spaniards gained no decided advantage. On the contrary, the British erected a battery whose heavy guns soon silenced the Spanish ships and drove them to the other side of the bay. After a month's siege an accident turned the uncertain victory to the account of Galvez. The powder magazine in one of the advanced redoubts took fire from a shell and blew up, opening a passage to him. He had barely taken possession of it when the British displayed a white flag. A capitulation was agreed upon by which the whole province of West Florida was surrendered to Spain. The garrison was allowed the honors of war and transportation into the English dominions.

The brilliant services of Galvez were rewarded with the

Cross of the Royal Order of Charles III, the title of Count, promotion to Lieutenant General in the army, and Captain General of Florida and Louisiana. He sailed shortly afterwards to Havana, to take command of the Spanish forces in a combined French and Spanish attack on Jamaica, leaving the government of Louisiana during his absence to Don Estevan Miro, colonel of the Spanish regiment of Louisiana.

Peace of Paris. American Independence, 1783.—The great and glorious struggle of the Americans drew to an end. Great Britain was forced to acknowledge their independence. The peace was signed at Paris, September 3, 1783. It fixed the southern boundary of the United States at a line beginning in the middle of the Mississippi, latitude 31 degrees north, and along this parallel to the Chattahoochee river; down the middle of this river to its junction with the Flint; thence in a straight line to the head of the St. Mary's, and along the St. Mary's to the sea. The navigation of the Mississippi, moreover, from its source to its mouth, was declared free to the subjects of Great Britain and to the citizens of the United States.

By a treaty of the same date, however, Great Britain ceded and guaranteed to Spain the possession of both the Floridas. The King of Spain, who claimed that West Florida extended as far north as parallel 32.28, now refused to accept the boundary line fixed by Great Britain, and also denied that the privilege of navigating the Mississippi through his possessions could be granted without his consent. These questions caused negotiations to be reopened between the government of the United States and the court of Spain, which, as we shall see, lasted for a number of years.

1784.—During their short and brilliant war against their English neighbors, the Louisianians suffered great agricultural and commercial depression. The paper money fell to half its value; crop after crop failed. The sorely needed

peace did little to mitigate the crisis. For two years successively hurricanes had swept the country bare of vegetation and buildings; and the waters of the gulf, driven inland in a great tidal wave, had submerged land and stock. In addition, there were the usual overflows from the river, and a rainy summer following brought an epidemic of fever. The necessities of life rose to an extreme height and want and suffering wrung bitter complaints from the inhabitants. The severity of the winter that succeeded was unknown in all previous experience. White frosts appeared in September. By November the cold was intense. In February the whole width of the river in front of New Orleans was so filled with blocks of ice that for five days all communication between the two banks was interrupted.

Early in 1785 Galvez was appointed viceroy of Mexico, to succeed his deceased father, and Miro became governor of Louisiana.

QUESTIONS.

Give an account of O'Reilly in New Orleans. Arrest of the patriots. Their trial and execution. Spanish reconstruction in Louisiana. Unzaga's administration. Administration of Galvez. Capture of the British possessions. Give account of the Peace of Paris—the boundaries it fixed and the provision regarding the Mississippi river.



CHAPTER XIX.

Governor Miro. 1785-1791.—Miro continued the wise policy of his predecessors, exerting himself to obtain from the Court of Madrid as much extension of commercial privileges as possible, foreseeing that in commerce lay the very life of the colony. He was fully impressed with the importance of the Mississippi as the artery of trade of the country.

"As many as forty vessels at a time," he wrote to the home government, "could be seen on its waters."*

The natural, and in that ante-railroad period the only outlet for the produce of the Middle, or, as they were then called, the Western States, the river was indeed asserting its importance in a manner that both governments were forced to consider. After the War of Independence there poured down upon its currents one continuous line of flat-boats laden to the edge with the produce of the rich soil from above. These cargoes found ready sale, and were soon the main source of food supplies to the city. The flat-boats, after being unloaded, were broken up and sold for timber. But the sturdy flatboatmen from Ohio and Kentucky, on their return, had always a long list of seizures, confiscations, imprisonments, and vexatious interferences of all kinds by the Spanish authorities, to report, and the people of the States, strong and bold in their new liberty, were not of the kind tamely to brook such treatment. They considered that the Mississippi river belonged to the people of the Mississippi valley, and they were determined to have the use of it to its mouth. Among the violent, invasion of Louisiana and forcible seizure of New Orleans were talked about. The more peaceable applied to Congress to obtain from Spain by negotiation the full observance of the last treaty.

Miro, alive to the critical temper of Americans and to the defenceless condition of the colony, redoubled his vigilance and relaxed the restrictions upon the river trade. To fill up the country, he encouraged emigration from the West into the Spanish possessions on the Mississippi, and another large number of Acadian families coming into the colony, he settled them in the neighborhood of their compatriots on

*One of the first acts of Miro's administration was the building of a hospital for lepers in New Orleans on what was long called "*la terre aux lepreux*," or lepers' land, situated on Metairie Ridge. Ulloa had attempted to confine some of the lepers at Balize, but the public discontent caused him to desist.

both sides of the Mississippi and in the Attakapas* district. To increase Spanish population, the Spanish government had in this, and also during the previous administration, transported to Louisiana a number of families from the Canary Islands.† These were settled, some at Terre-aux-boeufs; some at Bayou Manchac, where they formed a village called Galvezton; and some at Venezuela, on Bayou Lafourche.

The English inhabitants of the Natchez district were encouraged to remain and take the oath of allegiance to Spain; they were forbidden, however, the public exercise of their worship, and the king sent out, at his own expense, Irish priests to convert them to the Roman Church.

At the same time, Miro spared no means to conciliate the Indians, and he succeeded in drawing to New Orleans thirty-six of the most influential Chickasaw and Choctaw chiefs, gave them rich presents, harangued and feasted them.

1787.—General Wilkinson, a distinguished officer in the War of Independence, became a prominent figure in the crisis. He conceived the plan of relieving the strained condition by establishing such relations between the people of the interior and the Spaniards as would be profitable to both. He came to New Orleans and made the acquaintance of Miro, who, fearful at every rise of the river of an invasion from the indignant Americans to the north, eagerly welcomed any arrangement by which such a possibility might be avoided. He even flattered himself that Wilkinson's friendship and the necessity of the Mississippi to the Middle States, properly handled, might result in their secession from the Union, and the erection of a friendly republic under the

*In the beginning of 1787 the districts of Opelousas and Attakapas, which so far had been under one officer, were divided into two separate commands. Nicholas Forstal was appointed commander of the Opelousas district, and the Chevalier de Clouet, who had before presided over both, was left in charge of the Attakapas.

† Called to this day "Islingues," from islenos, islanders.

dependence of Spain, between the Spanish and the United States boundaries.

New Orleans. 1788.—In the capital life was changing from the rude simplicity of the early Canadian days to the tone and fashion of European cities, of which the foreign officers and their families set the standard. Handsome residences of brick and stucco with hand-wrought iron gates and balconies, and spacious court yards, began to replace the low, tile-covered cottages of the first settlers. But the march of improvement was arrested by a most disastrous occurrence.

On Good Friday, 1788, the house of one of the Spanish officials caught fire from the lights on the altar of the domestic chapel. The flames spread until the entire city seemed doomed; eight hundred and fifty-six houses, the Cathedral, Convent of the Capuchins, Town Hall, the arsenal and all its contents, were consumed. Nothing could exceed the scene of ruin and desolation that ensued. New and handsomer buildings, however, were soon being built on the old sites, and Don Andres Almonester,* a rich and influential citizen, commenced his generousities to the city by replacing the burned schoolhouse, and laying the foundation of a new and handsome cathedral.

In the beginning of 1789 Louisiana learned that Charles III was dead, and that Charles IV, his son, succeeded him. But the new king was more intensely Spanish than the last, as the colony soon perceived.

Inquisition.—The Spanish Capuchin priest, Antonio de Sedella, who had lately arrived, was commissioned to introduce the Inquisition into the city. He made his preparations with the utmost secrecy and caution, and notified the gov-

*Don Andres Almonester y Roxas was a native of Andalusia. He was a Knight of the Royal Order of Charles III, colonel of the militia, alderman and royal lieutenant of the corporation, founder and donor of the cathedral, the court house, of the Hospital of St. Charles and of its church; also of the hospital for lepers and of the convent and school of the Ursulines. He died 1798, and was buried in the cathedral, where his tomb may still be seen.

error that he might soon, at some late hour at night, find it necessary to require guards to assist him.

Miro did not hesitate to risk his own authority to prevent an establishment, the idea of which made him shudder. The night following the Capuchin's notification, when the representative of the Inquisition was quietly sleeping, he was aroused by a heavy knocking; opening the door, he saw an officer and a file of grenadiers. Thinking they had come in answer to his letter, he said: "My friends, I thank you and his excellency for the readiness of this compliance with my request. But I have now no need for your services, and you shall be warned in time when you are wanted. Retire with the blessing of God."*

Great was his stupefaction when he was told that he was under arrest. "What," exclaimed he, "Will you dare lay your hands on a Commissioner of the Inquisition!" "I dare obey orders," replied the undaunted officer; and the Reverend Father Antonio de Sedella was instantly carried on board of a vessel which sailed the next day for Cadiz.†

Goddess of Liberty. 1791.—Tender of the political as well as religious condition of the people, the King of Spain prohibited the introduction into the colony of any boxes, clocks, or other objects stamped with the figure of the American goddess of liberty.

French Revolution. 1789-1791.—It was a time indeed to fear the spread of ideas of liberty. The heroic stand of the United States against England, and the independence and freedom thereby gained, had fired the long discontented French people into a revolt against their monarchy.

The revolution which broke out with such deplorable violence in France was followed in the French colonies with even more bloody exhibitions. In St. Domingo the negroes,

* Gavarré, Spanish Domination.

† A few years later Pere Antoine returned and lived and worked in the city until 1829. He made himself so beloved by the people that his memory is still cherished by both Protestants and Catholics.

not satisfied with the freedom granted them, resolved to rule supreme. A general massacre of the whites was plotted and carried out with revolting cruelty. Those who could escape fled to neighboring countries; many came to Louisiana. Among the refugees were a company of French comedians. They opened a theatre in New Orleans, originating the regular French dramatic performances which still continue in the city.

Miro was permitted to retire from Louisiana and return to Spain in 1791. He had endeared himself to the colonists by his kind manners and fine moral qualities and had done much to reconcile them with the Spanish Domination.*

Carondelet. 1792-1797.—Francois Louis Hector Baron de Carondelet, like his predecessors, was a colonel in the royal army. He was a native of Flanders, and at the time of his appointment was governor of San Salvador in Guatemala. He is described as a short, plump gentleman, somewhat choleric in disposition, but not lacking in good nature.



BARON CARONDELET.

As Miro had done, Carondelet tolerated the open disregard of the duties imposed upon the Mississippi trade, and New Orleans was permitted to stride forward to the commercial position which her geographical situation warranted. Numbers of Philadelphia merchants established branch houses in the city, and Americans began to crowd in to fill the lucrative positions daily offering. But as before, whenever prosperity seemed most assured, events in Europe disturbed it.

* Miro had a census of the population taken in 1789, with the following result: Total, 31,433, showing a doubling of the population since 1769. The slaves and whites were about equally divided; the free colored amounted to 1100; the number of Acadians to 1587.

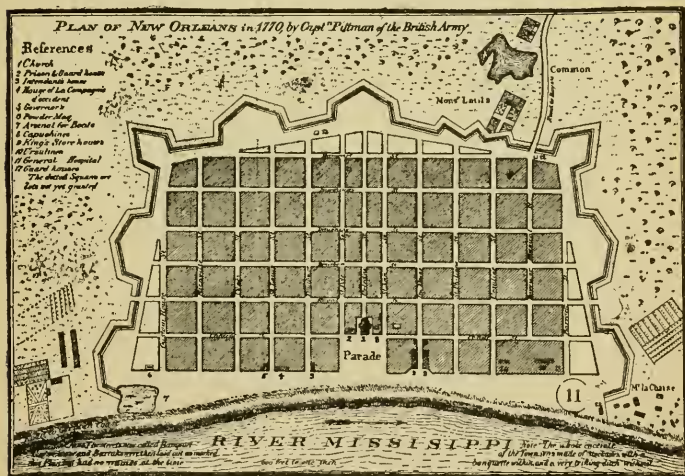
News arrived that the French Republic had been proclaimed, and Louis XVI beheaded; and with it came the declaration of war by Spain against France.

The Spanish reconstruction had never gone to the hearts of the Louisianians, they still were Frenchmen, had never ceased to speak their own language, nor to long for an opportunity to return to their own nationality, and they had been French Republicans in spirit ever since Louis XV had thrown them off and abandoned them to the vengeance of O'Reilly. They saw now a chance for changing their government for one animated by the freedom and progressive spirit of the United States, but French in language and nationality. One hundred and fifty of them boldly signed a petition addressed to the new French Republic, praying to be placed under its protection. At the theatre in New Orleans, the new French patriotic hymn, the Marseillaise, was demanded from the orchestra, and in all drinking saloons stirring revolutionary songs were sung.

Carondelet had another paper signed, in which other colonists pledged themselves to the King of Spain, and to the present government of Louisiana. The orchestra at the theatre was forbidden to play martial or revolutionary music, and revolutionary songs were prohibited on the streets and in the drinking saloons, and six of the most violent partisans of the Republic were shipped away to Havana. The fortifications of the city were strengthened and repaired; the governor himself going on horseback every morning regularly to superintend the work. Fort St. Charles was built immediately above the city, and another fort, St. Louis, immediately below. In front of the principal streets was placed a strong battery, which commanded the river and crossed its fire with that of the forts. In the rear of the city were three other forts: Burgundy, St. Ferdinand and St. Joseph. They were smaller than those in front, and connected with a ditch forty feet wide and seven deep. With the earth taken out of the

ditch, a parapet, three feet high had been made, protected by a palisade twelve feet high. The two batteries at English Turn were abandoned. A large fort (St. Philip) was built at Plaquemine Turn and a smaller one placed on the opposite side of the river. The militia was drilled and disciplined.

These measures had their effect on the colonists immediately under the power of Spain, but the agitation outside continued unabated. A society of French Republicans in Philadelphia circulated an address in Louisiana, calling upon their brethren, in the name of Liberty, Equality and



CITY OF NEW ORLEANS IN 1770.

Fraternity, to strike a blow against the Spanish despotism which enslaved them and join the nations of the free; promising that down the waters of the Ohio would soon come abundant help of men and money. The French minister to the United States turned his efforts to getting up an expedition composed of Frenchmen and Americans, which he pro-

posed to lead himself into Louisiana. Profiting by the prejudice against the Spaniards, he gathered a large band on the borders of Georgia and even gained a strong party of Indian warriors to join the movement. August de la Chaise, a native Louisianian (grandson of the royal commissary of 1723), was sent to Kentucky to recruit invaders there, who were to descend to New Orleans by way of the Ohio and Mississippi.

The authorities of the United States, however, firmly interfered to prevent this violation of international treaty, and the governor of Georgia issued a proclamation against the proposed use of his territory. De la Chaise, disappointed in his hopes, dispersed his force of two thousand men and retired to France.

Treaty of Madrid. 1795.—Finally the long pending negotiations between the United States and Spain drew to a close. Spain accepted the same boundary line that, we have seen, was agreed upon between His Britannic Majesty and the United States in the treaty of 1783. The free navigation of the Mississippi was again stipulated and permission given to the people of the United States to use New Orleans for three years as a place of deposit for their produce and merchandise and to export the same free of all duty; the term of three years to be extended at its expiration or another place of deposit designated on the island of Orleans.

Making of Sugar by Etienne de Bore.*—M. de Boré had settled on a plantation six miles above New Orleans, on the same side of the river, and, like most of the planters in Louisiana, had devoted himself to the cultivation of indigo. Hurricanes and overflows, however, had much diminished his fortune, and in addition an insect had appeared, which attack-

* Etienne de Boré came of distinguished Norman family. He was born in 1740 in the Illinois, but was taken at an early age to France. After the completion of his education he entered the Royal Mousquetaire or troops of the King's household. After his marriage he returned to Louisiana and engaged in planting. M. de Boré was the grandfather of Louisiana's distinguished historian, Charles Gayarré.

ing the indigo plant, soon left it nothing but a bare stem. Ruin stared him and the other planters in the face. The manufacture of sugar had been abandoned since 1766, as impossible in the climate, and only a few now planted cane, to be sold as a delicacy in the market or boiled into sugar or made into a kind of rum called tafia. Boré determined to risk

what was left of his fortune by one more attempt at sugar making. His wife, and his friends also remonstrated with him. He nevertheless purchased seed cane, planted and got ready for grinding and boiling. On the day when the rolling was to begin a large number of neighbors and friends assembled in and about the sugar house, watching with anxiety the success or failure of the experiment.

"Would the syrup granu-

late?" "Would it make sugar or not?" The moment came. The sugar boiler tested again and again. "It granulates!" he called out, "It granulates!" "It granulates!" the crowd in the sugar house repeated. The cry was caught up outside and flew from mouth to mouth to the city.*

Insurrection of Slaves.—But the sugar planters were then confronted by what seemed another and more horrible ruin. The news of the St. Domingo revolution had penetrated to the large slave population of Louisiana. What had been accomplished there, it was thought, might be accomplished here. A conspiracy was formed at Pointe Coupee on the plantation of Julian Poydras, one of the wealthiest planters of Louisiana, then traveling in the United States.



ETIENNE DE BORE.

*Gayarré, Spanish Domination.

The plot spread throughout the parish and a day was fixed for the general massacre of the whites. A disagreement as to the proper hour produced a quarrel among the ringleaders which led to the betrayal of the plot and their own arrest. The negroes rose to the rescue, but were repulsed, and the ringleaders were tried, condemned and hanged as a warning at various points on the river bank.

In 1795 another conflagration almost consumed New Orleans, causing even greater financial loss than the previous one. Only two stores in the whole city escaped, but fortunately the new cathedral, just completed by Don Andres de Almonaster, was spared. In order the better to avoid such calamities in the future, Carondelet recommended that premiums be granted to those in New Orleans who should rebuild with terraced or tiled instead of shingle roofs.

During the previous year, 1794, the first regular newspaper had made its appearance in the city. It was called *Le Moniteur de la Louisiane*.

Carondelet completed his extensive works in the city by digging the Canal Carondelet, which connected the city with Bayou St. John, giving access to boats from the lake. The convict labor and details of slaves contributed by the planters were employed at it. As affording drainage for the city and bringing into it wood and small products from the lands across the lakes, the canal has more than justified the Baron's high expectation of it. In 1796 he established eighty lamps for the lighting of the city and gave it regular police protection.

The revolution in France turned at this period a tide of emigration into Louisiana most acceptable to the Spanish authorities. It was composed of French royalists flying from the new Republic. Among the most conspicuous were the Marquis de Maison Rouge, the Baron de Bastrop and M. de Lassus de St. Vrain. They proposed plans for a large emigration of their countrymen and generous

tracts of land were granted them on the banks of the Ouachita.*

Appointed to a command in Quito, Carondelet left New Orleans in the autumn of 1797. He was succeeded by Gayoso de Lemos.

Gayoso de Lemos Governor. 1797-1799.—De Lemos governed for two years.

As like his predecessors, Carondelet had also hoped to win the Western States from the Union, he had delayed the giving up of the forts Panmure and Walnut Hills, held by Spain within the boundaries of the United States. Now that all hopes of such a secession from the United States was ended by the firm allegiance of the Western people, Gayoso evacuated the territory.† General Wilkinson arrived with federal troops and took up his headquarters at Loftus' Height (Rôche à Davion). Don Jose Vidal assumed command of the Spanish fort at Natchez.

The three years fixed by the Treaty of Madrid elapsed and a royal order was issued, prohibiting New Orleans as a place of deposit and designating no other place in its stead. When this became known in the Western States, it caused the most intense indignation and an expedition against New Orleans was openly advocated. President Adams, obliged by popular opinion to make some demonstration, ordered three regiments of the regular army to concentrate on the Ohio till further orders. Twelve additional regiments were ordered by Congress to be raised and other preparations were made which seemed to indicate an immediate campaign against Louisiana.

In the midst of the excitement Gayoso died suddenly, and Don Francisco Bouligny, colonel of the regiment of Louisiana, assumed his office.

* These grants were made on certain conditions which were never complied with and a full title was never vested.

† By act of Congress, the land ceded was organized into the Territory of Mississippi.

Casa Calvo. 1799-1801.—The Captain General of Cuba sent over the Marquis de Casa Calvo to be temporary governor in the colony.

The government of the United States, instead of proceeding to armed means for the protection of the rights of her citizens, arrested warlike preparations and reopened negotiations with Spain. The acquisition of New Orleans was the only sure guarantee of a final solution of the matter. While the negotiations for it were pending, the King of Spain revoked the decree against trade and restored to the people of the United States a place of deposit in New Orleans.

Salcedo Governor. 1801-1803.—Don Juan Manuel de Salcedo, brigadier general in the armies of Spain, arrived in Louisiana to relieve Casa Calvo. One of his first measures was to send arms and equipments to the militia of the Natchitoches district, in order that they might make a stand against an American inroad threatened in that quarter. At the same time, his intendant, the Comptroller of Customs, Morales, issued a decree forbidding the granting of any land to a citizen of the United States, and again suspended, by proclamation, the right of deposit in New Orleans. The news of it almost produced a revolt among the Western people; they rose and for the last time demanded redress from Congress. "The Mississippi is ours," they said, "by the law of nature. Our rivers swell its volume and flow with it to the Gulf of Mexico. Its mouth is the only issue which nature has given to our waters, and we wish to use it for our vessels. No power in the world should deprive us of our rights. If our liberty in this matter is disputed, nothing shall prevent our taking possession of New Orleans, and when we are once masters of it we shall know how to maintain ourselves there. If Congress refuses us effectual protection we will adopt the measures which our safety requires, even if they endanger

LOUISIANA.

Longitude West of Greenwich

94°

96°

98°

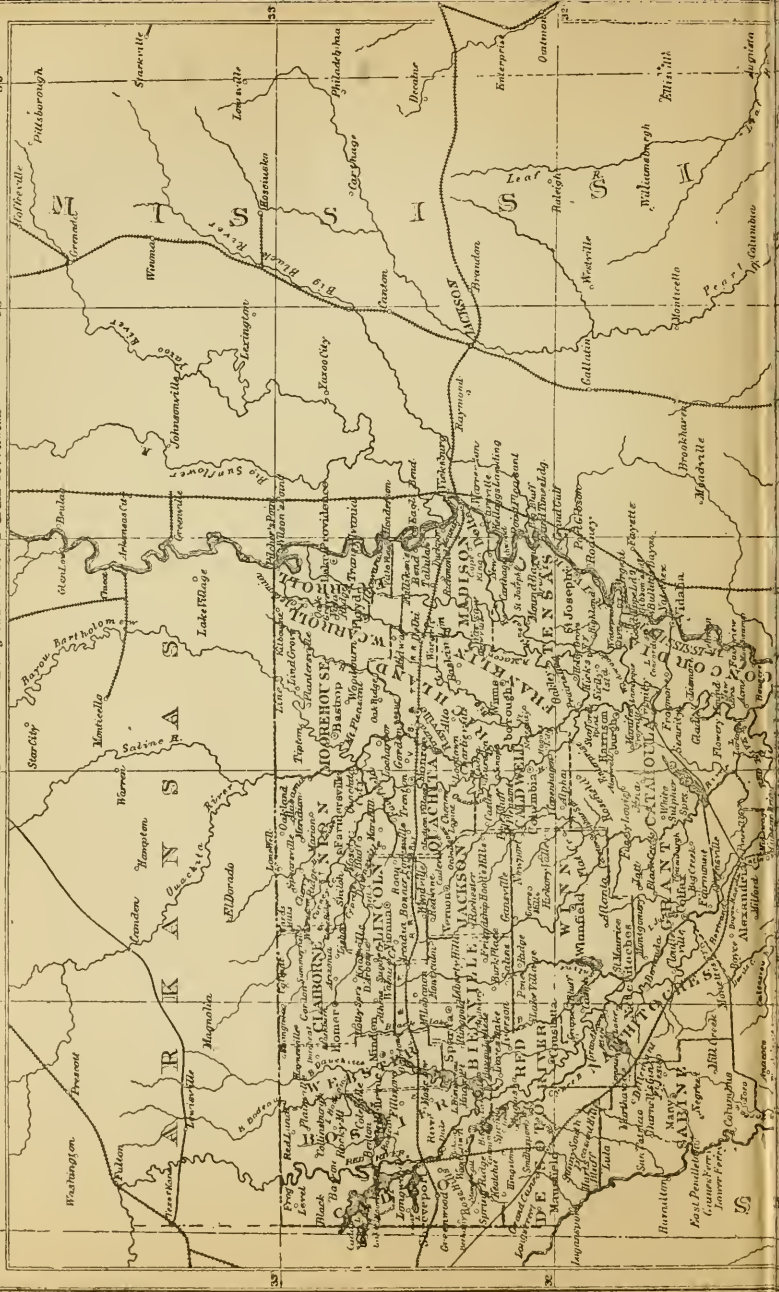
100°

102°

104°

106°

108°



the peace of the Union and our connection with the other States. No protection, no allegiance." *

QUESTIONS.

Give an account of Miro's administration. Of the importance of the Mississippi to the Middle States. Restrictive duties of the Spanish authorities. Effect on the Western people. Inquisition in New Orleans. French Revolution. Carondelet's administration. Treaty of Madrid. Making of sugar. Administration of Gayoso. Casa Calvo. Salcedo. Last demand of Western people for free navigation of the Mississippi river.

FROM COLONY TO STATE.

CHAPTER XX.

THE THREE POWERS.

The first years of this century witnessed some very important events in the history of Louisiana. By these events the whole current of affairs was changed. The great territory that then bore the name of Louisiana was brought from under the Spanish domination and joined to the American Union. It must be noticed, however, that the interests of the Louisianians themselves were not at all consulted. Their country was simply a valuable piece of property; two other nations, we shall see, sold it for as high a price as they could obtain, and in the end the Americans carried off the prize. It was a splendid bargain for the United States, and the inhabitants of the purchased territory soon found that under the free American Government a glorious future was opened before them.

* Quoted by Gayarré from Marbois' History of Louisiana.

Let us trace the history of these important events.

Napoleon's Bargain with Spain.—In the year 1800, Napoleon Bonaparte, who was then at the head of the French government with the title of First Consul, determined to induce Spain to give back Louisiana to France. It was his intention to establish once more the power of France in America, and to use Louisiana as a point from which he could attack the possessions of the English, with whom he was constantly at war.

When he proposed to the King of Spain that the province should be ceded back to France, His Catholic Majesty,* who had not found Louisiana a very profitable possession, and who feared that the grasping Americans might one day take it from him, listened very favorably to Napoleon's proposition. He finally declared that he would give up the province, if Napoleon would make over to the Duke of Parma, who belonged to the royal house of Spain, that part of Italy which was called the Duchy of Tuscany. Napoleon promised to comply with this condition, and October 1, 1800, a secret treaty was signed at St. Ildefonso, of which the third article was as follows: "His Catholic Majesty promises and binds himself "to give back to the French Republic, six months after the "conditions in regard to Louis, Duke of Parma, have been "executed, the colony of Louisiana, with the same boundaries "which it had when it was owned by France, and which it "should have according to the treaties made more recently "between Spain and other States."

Thus Spain thought she had placed between the Americans and her Mexican possessions a power friendly to herself; if she had dreamed that Napoleon would in a few years sell the colony to her American rival, it would never have passed out of her hands.

For more than a year Napoleon kept his bargain with Spain a profound secret. His minister was the famous Tal-

* This was the official title of the King of Spain.

leyrand, who was very skilful in concealing what he knew and in baffling all inquiries. Napoleon had very good reasons for pretending that France did not own Louisiana. England had a powerful fleet, which was always sailing along the English Channel and watching the movements of French vessels. If it were known that Louisiana belonged to France, England might easily send this fleet across the Atlantic, seize the colony, and extend her dominion from Canada to the Gulf of Mexico. If she made the attempt, Napoleon, who was then carrying on extensive wars in Europe, was not at that moment able to prevent her.

Jefferson's Purchase.—In the meantime the Spanish governor, Salcedo, still remained in Louisiana, and his intendant, Morales, ventured to deny to the Western people the right of deposit at New Orleans. We saw in our last chapter how boldly the people of Kentucky protested against this action. If the American Government had refused to listen to their complaints, they would doubtless have attacked the Spaniards and tried to seize New Orleans. But Thomas Jefferson, who was then President of the United States, appreciated the grievances of which the Kentuckians complained, and resolved to do all that he could to remove them.

As soon as it was finally known that Louisiana had been ceded by Spain to France, he sent over James Monroe (afterwards President of the United States), to join Robert R. Livingston, United States Minister at Paris, and he instructed these two representatives to negotiate with Napoleon for the purchase of New Orleans and the right of way to the Gulf. But as Napoleon saw that it would not be in his power to hold Louisiana against the English, he very shrewdly determined to sell the whole country to the United States. He would thus prevent England from seizing it; he would at the same time make friends of the Americans; and he would himself obtain a handsome sum to carry on the war against the English. Accordingly, therefore, he opened negotiations

with the American agents to find out how much they would give, not for New Orleans alone, but for the whole of Louisiana. After long discussions with a French Commissioner named Barbé-Marbois, Monroe and Livingston agreed upon the sum of eighty million francs (about fifteen million dollars) as the price that America should pay. The treaty of sale was signed at Paris April 30, 1803.

Napoleon was highly pleased with the result. "This accession of territory," he said, "strengthens forever the power of the United States. I have given England a maritime rival which will sooner or later humble her pride." His prediction was fulfilled in the war of 1812-15, when the American vessels won many victories over the English.

In the United States, Jefferson's purchase was disapproved of by some people, but the joy of the Western States carried everything before it. The result was that in 1804 Jefferson was re-elected President.

Spain, very naturally, showed some indignation at Napoleon's bold stroke, and maintained that he had agreed not to yield Louisiana to any other nation. But as Napoleon disregarded this promise, Jefferson refused to consider the Spanish protest. It was then feared that Spain would try to prevent the transfer of the colony; but she afterwards withdrew her protest, "as a proof of her friendship for the United States."

Laussat in Louisiana.—We must now return to the events in Louisiana. On March 26, 1803, M. Laussat, the Commissioner sent over by Napoleon to receive Louisiana from the Spaniards, arrived at New Orleans. As the treaty of sale with the United States was not signed till a month later, Laussat did not suspect that after he had taken possession of the colony, he would be ordered to transfer it to another government.

He was received with proper honors by the Spanish governor, Salcedo, and soon after issued an address, in which he

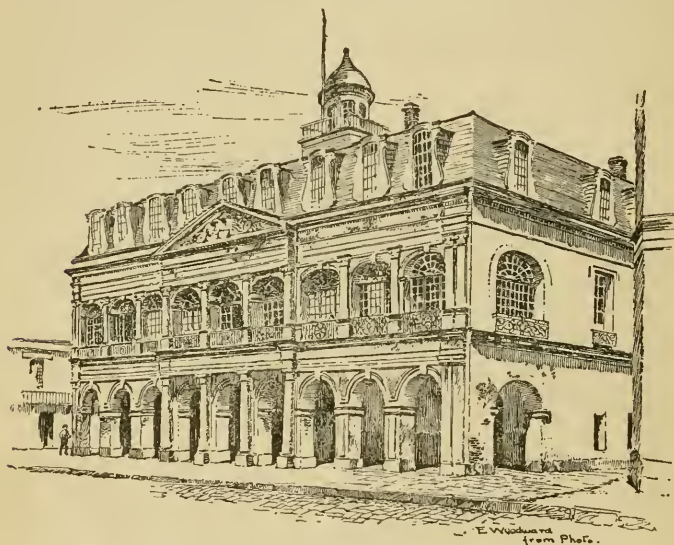
told the Louisianians that the transfer of their country to Spain in 1763 had been the act of a weak and corrupt government, but that the great and magnanimous Napoleon, as soon as his victories had given him the power, had hastened to restore Louisiana to the care of France. Laussat did not know that at this very time Napoleon was bargaining to sell Louisiana to the United States at the highest possible price.

Laussat received two addresses in answer to his own. The first was from the planters of Louisiana; it was signed by Manuel Andry, Noel Peret, Foucher, and many others. They expressed the joy they felt in becoming citizens of France; but they declared that they had no cause to complain of their treatment at the hands of the Spanish governors, with the single exception of the cruel Irishman, O'Reilly. "Let the Spaniards, they added, "have the undisturbed enjoyment of all the property they own on this soil, and let us share with them like brothers the blessings of our new position." The second address, signed by well known citizens of New Orleans, such as De Boré, Fortier, Labatut, and De Buys, expressed exactly the same sentiments. Thus the Louisianians, for the most part, were delighted to be transferred to France; but many of them, says Marbois, feared that Napoleon might set free all of the slaves in Louisiana, as he had done in St. Domingo, and that the terrible events which had taken place on that island might be repeated in their own country. This dread of the First Consul's policy was enough to lessen their joy in acknowledging the government of France.

Laussat, who had formed great plans for building roads and bridges in the colony, and otherwise increasing its prosperity, soon began to hear rumors that Louisiana had been ceded to the American Government. Several months, however, passed before orders finally reached him that he was to receive Louisiana from the Spanish governor, and then hold

himself ready to transfer it to the young American Republic.

France Takes Possession.—On the 30th of November, 1803, Laussat proceeded to the City Hall (the old Cabildo),



CABILDO (SUPREME COURT BUILDING).

where he met Governor Salcedo and Casa Calvo, who had been appointed to transfer Louisiana to France. The three gentlemen solemnly took their seats in the council chamber. After the necessary documents had been read, the keys of the city were handed over to the representatives of France, and Casa Calvo announced that all Louisianians who did not wish to withdraw from the colony and live elsewhere under the Spanish rule were released from their oath of fidelity to His Catholic Majesty. The three representatives then walked out on the gallery facing the old Place d'Armes (now Jackson Square). In the centre of the square the flag of Spain was proudly waving. Since the arrival of O'Reilly,

thirty-four years before, the people of Louisiana had lived under this banner. It now descended from its staff amid salutes of artillery and the flag of France rose in its place. Before many days had passed the French flag was to be replaced by the "Stars and Stripes." As this fact was already known, the ceremony that had just taken place was not regarded by the populace with any great enthusiasm, though with the fondness for display which has always distinguished New Orleans, an immense crowd had assembled to witness it.

When the ceremony was over Laussat issued a proclamation to the people of Louisiana, which in beautiful and appropriate words told them of the new destiny that had been prepared for them by Napoleon's treaty with America. He told them that according to this treaty they would in a short time enjoy all the rights and privileges possessed by the citizens of the United States. He then prophesied that the Mississippi would soon be covered with a thousand ships from all nations. "May a Louisianian and a Frenchman," he concluded, "never meet upon any spot of the earth without feeling tenderly drawn to each other, and without saluting each other with the title of brother!"

The old Spanish council was abolished, and in its stead Laussat appointed a regular city government. Etienne de Boré, the rich and successful sugar planter, was chosen mayor, while the council was composed of the following distinguished citizens: Villeré, Jones; Fortier, Donaldson, Faurie, Allard, Tureaud, and Watkins. Derbigny was the secretary, and Labatut the treasurer. As Laussat had no troops to protect New Orleans when the Spanish garrison withdrew, a number of young Creoles and Americans formed themselves into a company and offered their services to guard the city. New Orleans was patrolled by these young men till the arrival of the United States Commissioners, who were to receive Louisiana for the American Government.

Rivalry of Laussat and Casa Calvo.—In the meantime there was a great deal of rivalry between Laussat and the Marquis of Casa Calvo, each trying to outdo the other in a series of magnificent dinner parties, given to the chief inhabitants of the colony. It was the French Republic vying with the Spanish Monarchy. Each representative wished to prove how much affection his country felt for the Louisianians. In a history of Louisiana, by a French traveller named Robin, who attended some of these banquets, there is an interesting description of the guests, and from it we translate the following: “The ladies of the colony appear at these “fetes with an elegance which is truly astonishing; the principal cities of France can offer nothing more brilliant. “These ladies are generally tall and dignified. The whiteness of their complexion is set off by light robes ornamented with flowers and embroidery; so that one of these “fetes is like a scene in fairyland. Sometimes as many as “four hundred guests are grouped around the tables at supper. What a pity,” he continues, “that a taste for such “pleasures should spread in a new country, which has so “much need to practise economy!”

QUESTIONS.

Who was Napoleon? What bargain did he make? Give an account of Jefferson's purchase. Who was Laussat? How was his address to the people received? Describe the act of taking possession. Describe the banquets of that day.

CHAPTER XXI.

UNDER THE AMERICAN FLAG.

The American Government Takes Possession.—On the 17th of December, 1803, Wm. C. C. Claiborne, Governor of Mississippi, accompanied

by General Wilkinson, arrived at New Orleans to take possession of Louisiana in the name of the American Government. The 20th instant was chosen as the day of the cession. That day, for the third time in the memory of a generation then living, the people of Louisiana, without their feelings being consulted, were transferred from one government to another. The Commissioners

met Laussat at the Cabildo. The



GOVERNOR CLAIBORNE.

keys of the city, held by France for twenty days, were now presented to Governor Claiborne, and as the "Stars and Stripes" ran up to the head of the flag staff, loud huzzas filled the air. These came, it is said, from a group of Americans. The rest of the population, who felt that the change of government was not an act of their free will, showed no enthusiasm. As soon as he had received the keys Governor Claiborne arose and addressed the people. He congratulated them on becoming citizens of the United States, and praised the government which he represented.

Limits of Louisiana. 1803.—Thus it was that the United States came into possession of the great province of Louisiana. What were the limits of this new purchase? They embraced more than one million square miles and more than ninety thousand inhabitants. The boundaries were about as

follows: On the north, the lower limit of Canada; on the south, the Gulf of Mexico; on the east, the Mississippi river and a line drawn through Bayou Manchac and the lakes to



the sea; and on the west, the Rocky Mountains and an irregular line running from these mountains to the mouth of the Sabine river. On the north and on the southwest the boundaries were definitively settled at a later period by treaties with Great Britain (1818) and Spain (1819). Moreover, in 1819, Spain sold all Florida to the United States. Oregon was not included in the Louisiana purchase; it was acquired afterwards.

Division of Louisiana.—On March 26, 1804, the Congress of the United States passed an act for the government of the great territory purchased by Jefferson. This territory was thereby divided into two parts: first, all that portion north of the 33d degree of latitude (the present northern boundary of Louisiana) was to be called the District of Louisiana. The name was afterward changed to the Territory of Louisiana, and then to the Territory of Missouri; hence that part of Louisiana will no longer concern us in this his-

tory. Secondly, "All that portion of the country ceded by France to the United States which lies south of the Mississippi Territory, and of an east and west line to commence on the Mississippi river at the 33d degree of latitude, and extending to the western boundary of the said cession, shall constitute a territory of the United States under the name of the Territory of Orleans." We shall see that eight years later the Territory of Orleans became the present State of Louisiana.

This new territory was to be under a governor and a legislative council, both to be appointed by the President of the United States. The introduction of slaves from Africa was forbidden, and as the inhabitants thought the negroes necessary for the cultivation of their plantations, this measure caused great dissatisfaction.

Claiborne Made Governor.—On Friday, October 5, 1804, Claiborne* was sworn into office as governor of the new Territory of Orleans. He had just suffered a great domestic affliction in the death of his wife and child; and in his opening address he touched the hearts of his audience by declaring that the only happiness left to him would consist in trying to govern wisely those who had been put under his charge.

Legislative Council.—To assist Claiborne in the government of the Territory, the following council was appointed: Julien Poydras, Morgan, Bellechasse, Watkins, de Boré, Dow, Cantrelle, Clark, Roman (of Attakapas), Jones, De Buys, Kenner, and Wikoff (of Opelousas). The first judges appointed were Dominick A. Hall, district judge of the United States, with E. Kirby and J. B. Prevost, judges of the Superior Court.

* Wm. Charles Cole Claiborne was sprung from an old Virginia family. In 1793 he had moved to East Tennessee, where he held high offices. He was chosen judge of the Supreme Court and member of Congress. In 1801 he was appointed, by Jefferson, governor of the Mississippi Territory, which position he occupied until he was sent to Louisiana by the same President.

Discontent of the Louisianians.—Thus the new government had been organized, but there was still a great deal of dissatisfaction among the inhabitants. To forbid the importation of slaves was a great grievance, but a more serious one was that the legislative council was not elected by the people, as in the other Territories of the United States. The new Governor, moreover, it was declared, was ignorant of the manners and customs of the people over whom he was placed, and even spoke the French language very imperfectly. The discontent reached such a point that four members of the council resigned, and Claiborne had to appoint others in their places.

Before this, however, a committee of three—Destrehan, Derbigny, and Sauv —had been sent to Washington with a memorial, asking that the Territory of Orleans should be admitted into the Union as a State, and that the slave trade should be continued. These requests were not granted; but Congress passed a bill allowing the Louisianians to elect a territorial legislature of twenty-five members; and this legislature was permitted to send on to the President the names of ten individuals, from whom he should choose a legislative council or senate of five members. It was further declared that the Territory of Orleans should be admitted as a State as soon as the population amounted to 60,000.

Something had been gained, but neither the native Louisianians nor the American settlers were satisfied. Was there any excuse for such treatment of the Louisianians by the Congress of the United States? Had the American Government not promised that the inhabitants of the Territory should be admitted as soon as possible to the enjoyment of all the rights and privileges possessed by the citizens of the United States? Why then should the Territory of Orleans not be formed into a State, and the inhabitants permitted to choose their own governor and elect their own judges? Such were the bitter questions asked by the Louisianians. The

only answer of Congress was that the number of inhabitants in the Territory was only forty thousand, and that the great majority were Frenchmen and Spaniards, who were not yet acquainted with the laws and Constitution of the United States; hence it would be wise for Orleans to serve its apprenticeship as a Territory before being admitted into the Union as a "sovereign State."

This answer did not satisfy the Louisianians, and the old newspapers of New Orleans are filled with anonymous letters criticising very sharply the American Government and its representative, Governor Claiborne. The latter had become unpopular because he vetoed several bills passed by the legislature.*

Other Causes of Discontent.—From one of Claiborne's letters we learn that the trial by jury, to which the Louisianians had not been accustomed under the Spanish Government, and which was now introduced, was at first very unpopular. Moreover, a number of lawyers crowded into the Territory, and, by investigation of the titles to lands, and by sharp practice, succeeded in amassing large fortunes and gaining the hatred of the people.† Last, but not least, the introduction of the English language into the courts of justice was a serious cause of discontent. "These courts," says Judge Martin, "had interpreters of the French, Spanish, and English languages. They translated the evidence, and the charge of the judge when necessary, but not the argument of the lawyers. The cause was opened in the English language, and the jurymen who did not understand English were then allowed to withdraw to the gallery. The argument of the defence being in French, these were then brought back; and the rest of the jury, if they were Americans and did not understand French, were al-

*It was not possible under the territorial government to pass a bill over the governor's veto by a two-thirds vote of the legislature.

† Gayarré.

“lowed to withdraw in their turn. All went together into “the jury room—each declaring that the argument to which “he had listened was the best—and they finally agreed on a “verdict in the best manner they could.” To add to the confusion in the courts, the Territory of Orleans was governed partly by a set of laws drawn up in imitation of the Code of Napoleon,* and partly by the old Spanish laws, which very few lawyers understood.

Governor Claiborne, who appreciated the feelings of the people, and hoped that in time these feelings would change for the better, bore all the attacks upon himself with patience, and tried in every honorable way to draw over to his side those that opposed him. He nobly declared that the newspapers could not injure him as long as he did his duty, and that he believed the freedom of the press should be maintained, even if injustice were sometimes the result. By his simplicity and his pleasant manners, Claiborne soon made many friends for himself. At first he seems to have distrusted the old inhabitants of Louisiana, and to have believed that in case of war they would prefer the government of France to that of the United States; but gradually his opinion changed, and he declared that the great majority would, under all circumstances, be loyal to the American Government. In the war of 1812 the conduct of the Creoles proved that he was right.

QUESTIONS.

Why was Claiborne sent to Louisiana? What was the extent of Louisiana? How was Louisiana divided? Who was made governor? Why were the people of Louisiana discontented with the new government? Why did the United States decline to make Louisiana a State? Describe the courts of justice. Show the limits of Louisiana on map of 1810, and on large map of the State.

* This Code was drawn up in France by order of Napoleon; it was based on the Roman law. It is still the foundation of our civil law in Louisiana.

CHAPTER XXII.

DESCRIPTION OF LOWER LOUISIANA AT TIME OF
CESSION.

New Orleans in 1803.—The little city already had over 8000 inhabitants. They were, for the most part, French and Spanish Creoles, but the Spaniards had intermarried with the French, and the language of the latter was generally spoken. The number of the Americans was increasing daily, and many refugees from the island of St. Domingo sought a home in Louisiana. Houses were being built with great rapidity. Those along the river bank were the most attractive. In a desirable street the best stores rented at eighty dollars a month.*

The streets at that time, even the principal ones, were almost impassable. There was no paving as yet, and the vehicles in rainy weather sank to their hubs. A street was generally called by the name of the principal inhabitant, as the proper designations were to be found only in the city archives. As soon, however, as the Americans took possession, there was a change for the better. The streets were raised and kept cleaner. Already the city was very prosperous. The Mississippi was crowded with barges bringing down the products of the rich countries above, and the merchants of New Orleans were growing wealthy. As yet there was no Carnival in the winter season, but splendid entertainments were numerous, and the different classes of society were devoted to gayety.

The Parishes.—When Claiborne became governor of the Territory of Orleans, his legislative council divided it into twelve settlements, which at first were called *counties*. These were the counties of Orleans, German Coast, Acadia, La-

* The increase in the value of property at the present day is shown by the fact that a fine store now rents at over five hundred dollars a month.

fourche, Iberville, Pointe Coupée, Concordia, Attakapas, Opelousas, Rapides, Natchitoches, and Ouachita. The limits of these divisions were not clearly fixed, and the divisions themselves differed very much in size and population. Some were three hundred miles in extent, and others only forty-five; some contained ten times as many inhabitants as others. Finally, by an act of the legislature, approved March 31, 1807, the Territory of Orleans was divided into nineteen districts, to which the name of "parishes" was given, from the fact that the old Spanish division for religious purposes was used as the basis in fixing the boundaries.* In no other State of the Union are the counties so named. Since that time it has been found convenient, as the population increased, to divide still further the larger parishes, and they now number fifty-nine.†

Robin, who visited many of the Louisiana parishes in the early part of the century, gives us some idea of the inhabitants and their manner of life. If a traveler ascended the river to Pointe Coupée, he saw along the banks rich plantations, pretty houses, and numerous settlements. In the Parish of St. Charles a large number of Germans had settled as far back as the time of John Law and his "Mississippi Bubble." They had always been industrious, and many of them were now rich. Owning few slaves they frequently worked their own plantations, and from their gardens New Orleans was supplied with every kind of vegetable. Sixty miles above the city began the "Acadian Coast," where the wanderers from Nova Scotia had settled more than forty years before. In the early days they had been largely supported by supplies from the Government;

* Hence the names of the Saints in the designation of the old parishes.

† The 19 parishes of 1807 were: 1. City of New Orleans, 2. St. Bernard, 3. St. Charles, 4. St. John the Baptist, 5. Plaquemines, 6. St. James, 7. Ascension, 8. Assumption, 9. Interior Parish of Lafourche, 10. Iberville, 11. W. Baton Rouge, 12. Pointe Coupée, 13. Concordia, 14. Ouachita, 15. Rapides, 16. Avoyelles, 17. Natchitoches, 18. St. Landry, 19. Attakapas, called Parish of St. Martin. Four more parishes were added from West Florida at a later period.

but at this epoch they were very prosperous. They raised rice and corn, and they owned immense herds of cattle. Their lives were very simple, but they were as fond of dancing parties as they are at the present day.

At Pointe Coupée, where Julien Poydras owned a large plantation, there were many old and aristocratic French settlers. They lived in great luxury, surrounded by large numbers of slaves, who did all the work. There were hardly any taverns along the banks of the river. Indeed, they were unnecessary, for a traveler was welcomed wherever he went; and Louisianians were as famous for their hospitality in those days as they are at the end of the nineteenth century.

After passing Pointe Coupée, houses became much scarcer, and as one ascended the river, one saw only small settlements here and there, which were protected from the Indians by forts. Above Baton Rouge, on the east bank of the river, the inhabitants were, for the most part, Americans. These supplied their French friends across the river with slaves and all kinds of provisions. Some of them had passed over to the west bank and settled the Red river district. In the prairies below the mouth of Red river, on Bayous Lafourche, Plaquemines, Atchafalaya, and Teche, there were, says Dr. Monette, numerous French settlements. In St. Bernard parish* and on the Amite river there were many Spaniards, who had come over from the Canary Islands during the Spanish domination. These were the *Isleños* or "Islanders."

Traffic on the Mississippi.—All kinds of craft plied on the river, from the cumbersome flat-boat to the swiftly gliding pirogue. When they reached New Orleans the flat-boats were broken up and the timber sold, it being almost impossible to haul them back against the current. In ascending the stream other boats made use of sails, oars, and sometimes of a rope dragged along the levees. The traveler making a trip

* Named in honor of Bernardo de Galvez, the Spanish governor.

up the river usually engaged some Canadians or Indians as oarsmen. What a difference between this method of travel and a trip on one of our magnificent steamboats at the present day!

Chief Products of the Territory in 1803.—The products of Louisiana at that period seem very insignificant when compared with those of our time. For instance, there were seventy-five sugar houses in the Territory, and the whole yield was only five million pounds, which is equaled by a single plantation of to-day. The one sugar refinery of which the Territory boasted produced only 200,000 pounds a year, and as the process of refining was not well understood, the sugar was poor. In his history, Judge Martin tells us that only 20,000 bales of cotton were raised,* and that there were only 5000 casks of molasses. The prairies of Opelousas and Attakapas, however, were covered with great herds of cattle, and furnished New Orleans with more fresh meat than could be consumed.

Domestic manufactures hardly existed at this period. The Acadians wove their homespun cloth as they do to-day, but slavery was unfavorable to the rise of factories. The slaves, though skilful enough in the cotton fields, seemed entirely unsuited for the cotton factory.

Indians.—In 1803 there were still a number of scattered Indian tribes in Louisiana. On Bayou Vermilion, for instance, there was a village of Attakapas (man-eaters—so called because they were once cannibals). On the Ouachita and Red river were found the Caddos and the Choctaws, the former tribe still having a force of five hundred warriors. The Indians, however, seem to have given very little trouble to the whites, who traded with them for skins and other fruits of the chase. In fact, the savages were dependent upon the whites for the powder and ball they used in their hunting

* The sugar crop of 1891 was 492,000,000 pounds, and the cotton crop of Louisiana averages about half a million bales.

expeditions, and they gradually lost their hatred of the "pale-faces." It must not be supposed, however, that they had been civilized by their intercourse with the white men. Catholic missionaries from the earliest times had attempted to convert them to Christianity, and change their savage disposition, but they had met with very little success. The Indians, from their manner of life and their traditions, were neither willing nor able to accept the laws of civilization. They possessed, however, many fine qualities, and the story of their gradual disappearance in Louisiana has a pathetic interest. The Indian women who to-day sell sassafras and herbs in the French market are descended from the once dreaded tribe of Choctaws; while those on the Teche, who make the wonderful baskets, are all that are left of the Attakapas.*

QUESTIONS.

Tell something about New Orleans in 1803. Why are the counties in Louisiana called *parishes*? Describe the German, Acadian, and French settlements along the Mississippi. Who are the "Islanders?" How was the Mississippi navigated before the day of steamboats? What were the chief products of Louisiana? Was there any manufacturing? Who were the Attakapas? The Choctaws?

CHAPTER XXIII.

TROUBLOUS TIMES.

Aaron Burr.—One of the most remarkable men in the early part of this century was Aaron Burr. In 1800 he was elected Vice President of the United States, and while holding this office he fought a duel with the famous statesman

* A great deal was done for the Indians around New Orleans by the post-priest, Father Rouquette, who devoted his life to this work. He died in 1887.

Alexander Hamilton, in which the latter was killed. Some time after this Burr made a journey through what was then called the Western Country. His manners were very attractive, and he made many friends among the prominent men of the time. To some of these he seems to have confided his reasons for traveling in the West, but the exact purpose of his journey has never been discovered. Burr purchased 300,000 acres of land on the Red river, and he afterwards declared that his only intention was to settle this vast plantation. But when, in 1806, his secret agents were to be found in Louisiana and Kentucky, it began to be whispered around that Burr was a daring conspirator. His design, according to some, was to invade Mexico and make himself master of that country. Others declared that he intended to separate the Southern and Western Country from the Union, and, seizing New Orleans, make this city the capital of a new Union.

General Wilkinson, who was commander of the United States troops in the South, threw New Orleans into a state of defence, and arrested by military orders several of Burr's agents, who were stirring up trouble in the city. All of this caused the greatest excitement in New Orleans. Troops patrolled the streets, and Wilkinson felt justified in suspending the writ of *habeas corpus*—that is, he arrested suspicious persons and refused to surrender some of them when he was ordered by the courts to do so. This high-handed conduct stirred up a violent opposition to him, for the people thought that the laws were sufficient to protect the city.

In the meantime, however, Thomas Jefferson, President of the United States, having been informed of Burr's strange conduct, had issued a proclamation against him, and in 1807, while Burr was passing through the Mississippi Territory, with one hundred men in his train, he was discovered. He gave himself up, but afterwards escaped. A reward of two thousand dollars having been offered for his arrest, he was

captured and sent on to Richmond for trial. No act of treason, however, could be proved against him, and he was released. All the excitement that he had caused was soon at an end.

College and Schools.—As early as the year 1805 a college was opened to students in New Orleans. It was situated near the corner of Hospital and St. Claude streets, and was called the College of Orleans. For twenty years it offered courses of instruction to the young men of that day. One of the most distinguished of its students was the Honorable Charles Gayarré, the historian of Louisiana.*

Some years later, at the suggestion of Governor Claiborne, public schools were established in the different parishes, but so little money was given for their support that, except in the parish of Pointe Coupée, they did not flourish. There were, however, a number of private schools in New Orleans, which were well attended. It was not till a good many years later that the importance of popular education was more fully recognized, and larger appropriations were made for the public schools.

Revolt of the Baton Rouge District.—All West Florida—that is, the district north of Lake Pontchartrain, east of the Mississippi, south of the 31st degree of latitude, and west of the Perdido river†—was claimed by the United States as part of the Louisiana Purchase. But Spain refused to give up this district, declaring that she had never yielded it to France, and that therefore France could not have sold it to the United States. Hence Spanish garrisons were still kept at Baton Rouge and Mobile. The inhabitants of the Baton Rouge district were largely Americans, who had come from Mississippi and Ohio. They disliked the government of Spain, and, as early as 1805, they had tried to seize the fort at Baton Rouge and expel the Spaniards; but the

* Alcée Fortier, in "Memoirs of Louisiana."

† The Perdido is the present western boundary of Florida.

garrison was on the alert, and the attempt failed. In the year 1810, however, the inhabitants determined to make another attempt. One hundred and twenty men were collected, and, under Captain Thomas and Captain Depassau, they marched upon Baton Rouge. The Spanish garrison consisted of one hundred and fifty men. The Americans attacked with great spirit, and the Spanish commander, Colonel de Grandpré, was shot down at the head of his soldiers. Twenty prisoners were taken, and four of the garrison were wounded; but the majority made good their escape.

The Americans then held a convention at Baton Rouge, in which they declared the whole territory of West Florida to be "a free and independent State." At their request the President of the United States took the new State under his protection. That portion of it, however, which lay east of Pearl river, was left in the power of Spain until 1813, while the Baton Rouge district, as we shall see, was added to Louisiana. Its inhabitants, by a daring feat of arms, had won their independence, but they were well satisfied to have their destiny joined to that of Louisiana.

Slave Insurrection.—The year 1811 was long remembered on account of a dangerous uprising of the negroes in the parish of St. John. Five hundred of them formed a plot among themselves to march upon New Orleans, burning the plantation houses on their way and forcing all the slaves they met to join them. They provided themselves with weapons, and as they proceeded down the banks of the Mississippi with flags flying and drums beating, they chanted wild songs that filled with dread the hearts of the unprotected planters. A number of white people were put to death, but the great majority were warned in time, and fled to places of safety. As soon as the news reached New Orleans, the militia and the United States troops, under General Wade Hampton, were ordered out, and when they met the blacks, the latter were soon dispersed. Many of the ringleaders were con-

demned to death, and their heads placed on lofty poles along the Mississippi—a dreadful warning to those who might attempt the same thing in the future. It is said that old negroes still living in Louisiana tell the story of this slave insurrection as they heard it from their fathers.

QUESTIONS.

Who was Aaron Burr? Why was he arrested? What was the first college in Louisiana? Describe the revolt of the Baton Rouge district. Slave insurrection.

CHAPTER XXIV.

LOUISIANA ADMITTED AS A STATE.

Before Congress.—The same year (1811) permission was received from the Congress of the United States to call a convention in the Territory of Orleans for the purpose of drawing up a constitution. The Territory, which now had more than seventy-five thousand inhabitants, was at last to be admitted into the Union as the State of Louisiana. This permission, however, had not been obtained without some difficulty. When the question of admission was brought before Congress, it provoked nearly as much discussion as it had in former years. Many members declared that the Territory of Orleans was almost a foreign country, and should not enjoy the same privileges as the original thirteen colonies. The inhabitants, it was said, were largely Spaniards and Frenchmen, and if they were permitted to send representatives to Congress, these representatives would interfere with the rights of the Atlantic States. There could be no sympathy, it was declared, between the people of Louisiana and the inhabitants of the North and the East. Josiah Quincy, of Massa-

chusetts, went so far as to say that if Louisiana were admitted into the Union the rest of the States would be justified in withdrawing from that Union, "amicably if they could, violently if they must."

The Convention.—In spite, however, of this bold language, the bill passed, and the constitutional convention met at New Orleans, November 4, 1811. Members came from the whole Territory of Orleans, but not from the Baton Rouge district; for this district had not yet been added by Act of Congress.

The president of the convention was Julien Poydras, the rich planter of Pointe Coupée. By the 22d of January, 1812, the new constitution had been prepared, and being duly forwarded to Washington, it received the approval of Congress. Under this constitution Louisiana was admitted into the Union by Act of Congress, April 8, 1812, and the Baton Rouge district, as far as Pearl river, having been added a few days later, the boundaries of Louisiana were fixed as they stand at the present day.

Claiborne Elected Governor of the State.—According to the new constitution, the governor was to be chosen by the people, instead of being appointed by the President. The two candidates who received the highest number of votes were Wm. C. C. Claiborne and James Villeré, the son of the patriot that lost his life during O'Reilly's administration. As Claiborne had a larger number of votes than Villeré, he became governor of the new State. This was certainly a high compliment to his services. He had been governor of the Territory for eight years, and now, by the choice of the people, he was once more raised to that high office. By his sterling integrity he had withstood all the attacks of his enemies and defeated all their plans.

The first secretary of state was L. B. Macarty, a member of a distinguished Louisiana family. There was no lieuten-

ant-governor in Louisiana till a new constitution was framed in 1845.

The First Steamboat.—On the 10th of January, 1812, New Orleans was thrown into a great state of excitement by the announcement that a steamboat had arrived at the levee. It was the first ever seen on the Mississippi. Up to this time nothing had been known on Western waters except flat-boats, barges, and lighter craft. But Robert Fulton, who some years before had built a steamboat to run between New York and Albany, now drew the model of a second one to ply between Natchez and New Orleans. It was one hundred and sixteen feet long and twenty feet wide, and cost thirty-eight thousand dollars. When this new kind of vessel left Pittsburg and glided down the Ohio into the Mississippi, wondering crowds gathered along the banks and predicted that it would never be able to ascend the swift current. The only cabin passengers were N. J. Roosevelt, who was one of the owners, and his wife. At Cincinnati, Louisville, and Natchez the voyagers were received with great rejoicings.

The trip, however, was not without its dangers. Once the vessel caught on fire and came near being consumed. Moreover, during the latter part of the year 1811, the channel of the Mississippi was considerably changed by severe earthquake shocks, many of which occurred while the boat was making the trip; and several times the voyagers made narrow escapes from immense trees which were hurled into the stream by these sudden movements of the earth. No serious accident, however, occurred, and the "New Orleans," as the vessel was named, arrived safely at the Crescent City. The actual time from Pittsburg was only 259 hours, which was considered a very quick passage in those days.

The success of this steamboat made a great change in the development of the whole Western country. Cotton and other products began to come down the river in vast quantities, and New Orleans sent back all kinds of supplies. After the

war, which now broke out, was over, the Crescent City prospered as it had never prospered before.*

QUESTIONS.

Why did the Northern Congressmen still object to having Louisiana made a State? When was Louisiana admitted as a State? Who was made governor, and how was he chosen? Describe the first trip of the first Mississippi steamboat. Tell some of the changes made by the use of steamboats.

WAR OF 1812-15.

CHAPTER XXV.

BEFORE THE LOUISIANA CAMPAIGN.

Causes of the War.—The Act of Congress making Louisiana a State had not been approved more than a few months when the United States declared war against Great Britain (June 18, 1812). The principal cause of the war was this: Great Britain had determined to crush Napoleon Bonaparte, and as she needed sailors to man her ships, she had boarded some nine hundred American vessels on the high seas and impressed into her service several thousand American sailors. It was claimed that these sailors had been born in England, and that “once an Englishman” meant “always an Englishman;” but a great many of them were citizens of the United States and our Government determined to put a stop to these unjust seizures.

The First Years of the War.—For two years the war

* It is related that an old negro at Natchez, when he saw the “New Orleans” stemming the current, exclaimed: “Ole Mississippi got her massa dis time.” See Claiborne’s History of Mississippi.

went on without any decisive battle on either side. The British marched up to Washington and burned the Capitol; but on the sea the Americans met with brilliant success, and a large number of British vessels were sunk or captured. This was what Bonaparte had predicted, and he doubtless heard with great pleasure the news of our victories. In 1814 the English decided to attack the United States on the north through Canada and on the south through New Orleans. In September of the same year the northern army was defeated by the Americans, and forced to return to Canada. Another army and a fleet, however, had already been sent to Florida, with the intention of attacking New Orleans. Thus the seat of war was transferred to the Gulf of Mexico.

Fort Bowyer and Pensacola.—The commander of the American forces in the South was General Andrew Jackson,* who was destined to be the hero of the Battle of New Orleans. The first hostile movement of the British vessels was against Fort Bowyer on Mobile Point; but Major Lawrence, who was in command of the fort, repulsed the attack so successfully that they retired to Pensacola, at that time in the possession of Spain. Jackson marched against Pensacola, and forced the English to withdraw from the town. Then hastening to the defence of Louisiana, he arrived in New Orleans December 1, 1814.

John and Pierre Lafitte, the Smugglers.—The British had hoped that their designs against New Orleans were unknown to the Americans. But as early as September 5th of this year (1814), John Lafitte had warned Governor Claiborne of the approaching army and naval forces. As this Lafitte played an important part in the conflict, we must inquire who he was.

* Jackson was born in North Carolina, March 15, 1767. He was not well educated, but possessed great natural ability. Brave and skilful in war, he always won the confidence and affection of his soldiers. He was twice elected President of the United States, but he did not prove himself a wise statesman.

On the southern coast of Louisiana lies a beautiful little island called Grande Terre. Just behind this island is Lake Barataria, which forms one of the safest harbors west of the Mississippi. On the inner coast of Grande Terre we find on the old maps of Louisiana one spot marked as "Smuggler's Anchorage." For some years before the Battle of New Orleans this spot was the favorite haunt of a number of desperate men, who brought rich prizes into their little harbor and defied the revenue laws of the United States. Whether they were sailors who fitted out privateers under the flag of Carthage to seize the rich vessels of Spain, or whether they acted on their own account as pirates, has been disputed. It is certain, however, that they were smugglers, and that they established a kind of auction exchange at Grande Terre, where they sold their rich goods to any one that dared to come and buy them. They even sent fine stuffs to New Orleans, and disposed of them through some of the merchants, who were induced by the large profits to violate the laws. The rules of the Spanish custom house had been so strict that many people of New Orleans had fallen into the bad habit of regarding smuggling as an innocent occupation. The most prominent of these Baratarian smugglers were Pierre and John Lafitte. The two brothers had come from France, and had opened a blacksmith shop on St. Philip street in New Orleans. Soon growing weary, however, of following this slow road to wealth, they betook themselves to Grande Terre, where, amid the dark bayous overhung with Spanish moss, they became chiefs of "a rebellious clan." Their swift vessels would dart out into the open sea, capture a Spanish ship laden with rich goods, and bring it into the bay, where the cargo, which cost them nothing, except perhaps a little bloodshed, would be sold at a price far below its value. It was as wild and fascinating a life as Robin Hood used to lead in the forests of England, when every man was a law unto himself.

The Governor of Louisiana, who strongly objected to these constant violations of the law, declared the inhabitants of Barataria to be pirates and outlaws; but for some years no serious attempt was made to break up this nest of evil-doers. On one occasion the Lafittes were tried for introducing contraband goods, but they boldly employed Livingston and Grymes, two of the most famous lawyers in New Orleans, to defend them, and nothing was proved against them.*

Finally Pierre Lafitte was arrested on another charge and thrown into the calaboose in New Orleans. After remaining there awhile he escaped in some mysterious way, and was soon back at Lake Barataria. During his absence important events had been taking place at Grande Terre.

The British Visit John Lafitte.—Colonel Nichols, who was commanding the British forces, sent one of his officers with a letter to “Mr. Lafitte, Barataria.” It was dated August 31, 1814, and proved to be an offer from the British commander to take Lafitte and his company into the English service. “If you will join us with your men and vessels,” said the letter, “you shall have a large sum of money, and the rank of captain. After the war is over you and your followers will receive large estates as a reward.”

In order to gain time to warn Claiborne of the approaching danger, Lafitte asked for two weeks to consider the matter. This was granted, though the British officer begged him to decide immediately. “Your brother,” said he, “has been put in irons by the American Government; you yourself have been declared an outlaw. Why not aid the English to fight against a government that has treated you so unjustly?”

Lafitte Writes to Claiborne.—But Lafitte secretly sent off to Claiborne a full account of the British plans, and asked

* The lawyers were to receive ten thousand dollars each for their services, and Grymes ventured down to Barataria to collect the fees. He was well received, and the money was promptly paid. See Gayarré, in *Mag. Amer. Hist.*

permission to serve his adopted country against the enemy. As a sign of his repentance he described himself as a stray sheep that wished to return to the fold. It was about this time that Pierre Lafitte escaped from prison, and when he reached Grande Terre he also wrote to a gentleman in New Orleans, approving what his brother had done, and asking to be taken into the service of Louisiana. No answer was sent to these letters, and the Lafittes kept the English officer waiting until he began to suspect some snare, and sailed away.

Expedition Against the Lafittes.—In the meantime Claiborne had called a council of officers (General Jackson had not yet arrived) to decide whether the smugglers should be pardoned and taken into the American service. The majority of the officers voted to have no friendly communication with the Lafittes. Therefore, instead of returning a favorable answer, a body of troops under Commodore Patterson was sent to break up the settlement at Barataria. The expedition was successful and a large amount of rich booty was seized. The two brothers, however, escaped to the German settlement on the Mississippi, whence they afterwards fled to Last Island, which lies south of Terrebonne parish.

Lafitte Visits Jackson.—When General Jackson arrived in New Orleans, John Lafitte paid him a visit, and again offered his services and those of the other Baratarian outlaws. The stern General had once declared that the Lafittes were a set of bandits with whom he would have no dealings. But now that he found himself face to face with the daring outlaw, he seems to have been won over by his manly bearing and his attractive manners. Jackson liked a brave man, and he knew that he needed every one he could find to defend the city of New Orleans. So he accepted the services of the Baratarians. Some of them were placed at the forts on the Rigolets; others at Fort St. Philip; while Captain Dominique (who afterwards lived for many years in New Orleans),

commanded an important battery on the field of Chalmette. Everywhere that they were placed the Baratarians fought like tigers. Jackson himself admired their courage so much that, it is said, he never failed to stop and chat with them wherever he saw them.

QUESTIONS.

What was the cause of the war of 1812? What happened during the first years of the war? Who was Andrew Jackson? How did the English begin operations in the South? Who were the Lafittes? Why did Lafitte write to Claiborne? Tell of the expedition to Barataria. What was the result of Lafitte's visit to Jackson? Find Barataria Bay on large map of Louisiana.

CHAPTER XXVI.

THE BRITISH IN LOUISIANA.

Jackson in New Orleans.—We have seen that Jackson reached New Orleans December 1. Governor Claiborne had already been very active in organizing the militia to meet the British invasion. His proclamations had stirred the patriotism of the people, and every one was ready to do his duty.* As Louisiana had become a self-governing State, all classes felt that they had a common interest in protecting her. It was soon seen that Jackson was the right man to defend New Orleans. Though his constitution was weakened by constant sickness, his energy was untiring. He seemed to rise above bodily weakness by means of his indomitable spirit. Wherever he went he inspired the inhab-

*The following incident is given by Major Latour, who served under Jackson: "Madame Bienvenu, a rich widow of Attakapas, after sending her four sons to the defence of their State, wrote to Governor Claiborne that she regretted having no other sons to offer her country, but that if her services in taking care of the wounded should be thought useful, notwithstanding her advanced age and the great distance of her residence, she would hasten to New Orleans."

itants with confidence. "The streets," says Latour, "resounded with Yankee Doodle, the Marseilles Hymn,* and other martial airs, while those who had long been unaccustomed to military duty were polishing up their arms and preparing for battle. The women of New Orleans presented themselves at the windows and balconies to applaud the troops in their evolutions and to encourage their husbands, sons, fathers, or brothers to protect them from the insults of the enemy."

On the day of his arrival Jackson reviewed the militia companies of Creoles and Frenchmen, and declared that he was much pleased with their appearance and manœuvres. Besides the white companies, two battalions were formed of the "free-men-of-color," who were put under distinguished white officers, and who were afterwards highly complimented by Jackson for their bravery.

Defences.—With many hundred miles of sea coast, Louisiana was almost without defences; for the various forts were in a bad condition. However, Jackson strengthened, as best he could, Fort St. Philip, Spanish Fort, and a fort on the Rigolets called Petites Coquilles (now Fort Pike). There was not enough ammunition, and arms were so scarce that he ordered private houses to be searched for fowling-pieces. At his suggestion, moreover, an order was given that all the bayous leading into the interior should be closed with logs or other obstructions, so that the English vessels could not pass. Unfortunately one important bayou was neglected, and the consequences were very serious.

Battle of Lake Borgne, December 14, 1814.—To protect the entrance to Lake Pontchartrain, there were on Lake Borgne five United States gunboats. These were under Lieutenant Thos. Ap Catesby Jones, and were armed with twenty-three guns and one hundred and eighty-two men. As soon as Jones saw the English fleet approaching from Ship

*The national hymn of France.

Island, he decided to retire towards the Rigolets. But when he reached a point about fifteen miles off, he found the water so low that he had to cast anchor and await the enemy. The British sent against him a little fleet of forty-five barges and launches, armed with forty-three cannon and more than one thousand men. Though this force was far superior to his own, Jones made a fierce resistance, and many of the enemy's barges were sunk. But finally he himself was wounded in the shoulder, and the British, boarding the gunboats, captured them all. Their loss, however, was about three hundred, while the Americans had only ten killed and thirty-five wounded.

Martial Law.—The report of this disaster reached Jackson on the following day, and having heard that there were some British spies in New Orleans, he promptly declared the city to be under strict martial law. This meant that the city was to be controlled by the military orders of the General himself. Such a regulation was doubtless necessary at the time, but it will be seen that trouble grew out of it later on.

Landing of the British.—After the battle on Lake Borgne, the British decided to land some of their forces and march towards New Orleans. As they knew that their army was twice as large as that of the Americans, they expected to meet with very little resistance, and they actually imagined that the Creoles would come over to their side. We shall soon see what a mistake they made.

Bayou Bienvenu, leading from Lake Borgne to the plantations just below the city, had for some unknown reason been overlooked by the Americans, and there were no obstructions at its mouth. Some Spanish fishermen, who lived near by, doubtless acted as guides to the invading forces. About sixteen hundred men and two pieces of artillery were landed and placed in barges, which were silently rowed up the bayou. General Jackson had sent out some pickets to

watch the movements of the enemy, but these, being taken unaware by the British, were all captured except one who escaped through the marshes.

The British had never before seen a Louisiana marsh. As they gazed around upon the tall reeds and the "trembling prairies," with no human being and no dwelling in sight, they declared that they had never beheld a more desolate country. It was just the kind of country, however, that they needed to conceal their movements. Their plan was to reach solid ground and then send the boats back for reinforcements from the ships. So during the morning hours of December 23rd they rowed up the bayou until they came to General Villeré's plantation, about nine miles from New Orleans. Sending out detachments, they surrounded Villeré's house and captured two of his sons, who were stationed there with some troops. The elder of these, Major Villeré, jumped through a window, and though he was fired at several times, he escaped, and was one of the first to inform Jackson of the enemy's approach.

The British now marched towards the river and camped on Villeré's and LaRonde's plantations, within nine miles of the city. They took their time, for they felt confident of capturing New Orleans whenever they chose to advance.

They then drew up a proclamation, which was signed by the British commander, and copies of which were posted on all the fences. It was in these words: "Louisianians, remain quiet in your houses. Your slaves shall be preserved to you and your property respected. We make war only against Americans." This proclamation excited nothing but indignation among the Creoles; they were more determined than ever to show the British that they were not traitors, but patriots.

Jackson Marches to Meet the Enemy.—General Jackson was quietly sitting in his headquarters at New Orleans when Major Villeré and two other gentlemen came rushing

in to inform him that the British were approaching. When the General heard this news, it is said that he started up, and striking the table with his fist, cried out: "By the Eternal, they shall not sleep on our soil." As we shall see, no British soldier closed his eyes that night.

All the available troops under Jackson's command were ordered to march out to meet the enemy. The General took a position in the lower part of the city, where the mint now stands, to see the battalions go by. The right, composed of eight hundred and eighty-four men, was to be commanded by Jackson himself. Then came Major Plauché's battalion of Frenchmen and Creoles; next, the free-men-of-color under Major D'Aquin, and next, the left, under General Coffee, which was composed of Tennesseans, Mississippians, and the Orleans Rifle Company.

Jackson's whole force was only two thousand, one hundred and thirty-one men.

Commodore Patterson, of the United States navy, was ordered by Jackson to let two gunboats, the *Carolina* and the *Louisiana* drop down the river and bombard the enemy. As there was little wind, the *Louisiana*, which was a heavy vessel, could not be steered; and so the *Carolina*, which was much lighter, sailed down alone and took up her position opposite the British camp.

In the meantime it had grown dark, and when the British saw the *Carolina* they thought she might be one of their own cruisers, and hailed her from the levee. All at once they heard some one on board cry: "Give them this for the honor of America!" Then the guns flashed out, and a deadly hail of shot swept over the British camp, and in ten minutes covered the ground with dead bodies. Those who were able, rushed to take refuge under the levee, where they lay for an hour shivering in the dark, but afraid to move.

Suddenly the rapid firing of the pickets informed the English that the Americans were attacking them on the land side.

Rushing to their arms, they defended themselves as best they could. At first there was a thick fog, and the contest was almost in the dark, but the moon, then in her first quarter, afterwards gave a feeble light. The fighting lasted from 7 o'clock till 9:30.

During the battle the English landed and brought up additional troops till they had about five thousand on the field. Both sides fought with great bravery, but the advantage remained with the Americans. The English fell back to their camp, where they passed the night under arms. Jackson, hearing that large reinforcements of the enemy had come up, stopped his men. His loss in killed, wounded, and prisoners was two hundred and thirteen, while the English lost over four hundred. For the most part it was a hand-to-hand contest. An English officer, who afterwards went over the field, declares that in some places he found two soldiers lying dead together, each pierced with the other's bayonet.

Jackson was seen in the very front of the battle, exposing himself to every danger, and exhorting his men until their courage rose to the level of his own.

This bold attack on the British saved New Orleans. If the enemy had been allowed to march forward with their large army, Jackson would not have had time to build the fortifications necessary to resist them. But after the battle of the 23d of December, the British, seeing that the way was not open and that the Creoles would not join them, did not venture to advance till they had received large reinforcements.

QUESTIONS.

Tell about Jackson's arrival in New Orleans. How did he defend the city? Describe the battle of Lake Borgne. What is martial law? Describe the landing of the British. Describe the battle of December 23.

CHAPTER XXVII.

THE BATTLE OF NEW ORLEANS.

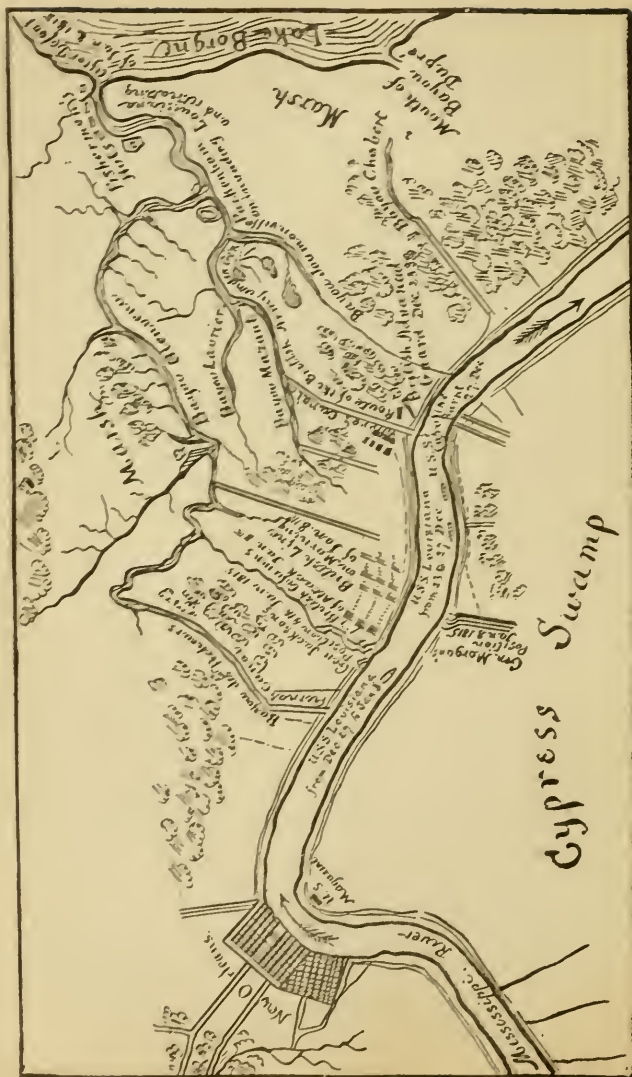
Preliminary Skirmishing.—Jackson now fell back two miles nearer the city and fortified the Rodrigues canal on the plain of Chalmette. The English spent the next few days in bringing up more troops, landing heavy artillery, and preparing for a vigorous campaign. This delay was fatal to them, for it gave Jackson time to build those terrible breastworks which the English long remembered.

Until the 25th instant, the British had been commanded by General Keane; but on Christmas morning the army was delighted by the arrival of the commander-in-chief, Sir Edward Pakenham, brother-in-law of that famous Duke of Wellington who, some months later, was to overthrow Napoleon at Waterloo.

The *Louisiana*, the other American war ship, had now dropped down the river and anchored above the *Carolina*. As these two vessels rendered any advance very dangerous, Pakenham's first step was to attack them. Bringing up his artillery, he threw red-hot shot at the *Carolina* until she took fire and blew up. The crew, however, escaped, and the *Louisiana*, finding herself in danger, succeeded in sailing up the river.

On the 27th of December the British troops advanced once more as if to attack the breastworks that Jackson was completing along the Rodrigues canal. But it was a useless attempt; for the American batteries poured a heavy fire into their ranks and forced them to retire.

On the 31st instant, Pakenham threw up embankments in front of the American lines, and having placed his heaviest artillery, he prepared to silence the American guns. The morning of January 1, 1815, dawned upon a thick Louisiana fog; but as soon as the mist cleared away both sides began a



FIELD OF CHALMETTE (From an old Map).

tremendous cannonading, which was continued till late in the afternoon. The Americans proved themselves so much more skilful in the use of artillery that the English despaired of overcoming them by this method of fighting. Nearly all the British batteries were silenced.

Arrival of the Kentuckians.—On January 5th the Kentucky militia arrived in New Orleans, and were put under the command of Major-General John Thomas. These troops, however, as well as many soldiers from other States, were in want of proper clothing to protect them from the intense cold and the rains of the month of January. “The Legislature of Louisiana,” says Latour in his history, “voted six thousand dollars, and this amount was increased to sixteen thousand dollars by the private subscriptions of the New Orleans Volunteers and the inhabitants of Attakapas and the German Coast. With some of this money blankets were bought, and the ladies of New Orleans quickly made them into clothes. The rest was expended in the purchase of shoes, mattresses, and other necessities, till all the needy soldiers were well provided.” In this noble way did Louisiana show her gratitude to those who had come to her defence.

Preparations for the Fight.—The 8th of January was the day chosen by the British to decide the fate of New Orleans and Louisiana. From the first of that month to the seventh they had busied themselves in digging out and extending Villeré’s canal till it reached the Mississippi. It was Pakenham’s intention to transport a body of troops on barges through this canal and land them on the opposite bank of the river. Colonel Thornton, who was put in command of these troops, was directed to cross the river before day on the morning of January 8, seize the American batteries on the right bank, and turn them against Jackson’s lines as soon as Pakenham’s army advanced. Unfortunately for Thornton, his barges stuck in the heavy mud of the canal, and when he

reached the other bank with six hundred men, day had dawned and he was too late to render any assistance to Pakenham.

Jackson's Line.—Jackson's breastworks, which were one mile long, extended from the Mississippi back to a cypress swamp. They were thrown up behind an old mill race, or canal, which separated the plantation of Rodrigues from that of Chalmette.* At first some bales of cotton had been used to strengthen portions of the embankment, but this inflammable stuff had been set on fire by the enemy's shot, and the heavy Louisiana mud was found to be far more useful.† In some places the works were twenty feet across the top and seven feet high, in others they covered the men only to the breast. The long line was defended by eight batteries and 3200 men. In the rear there were 800 more troops, consisting of the Mississippi cavalry and Attakapas dragoons, to act as a reserve and rear guard.

The line of 3200 was composed of various bodies of troops. Among them may be mentioned the uniformed militia of Creoles, under Major Plauché; Captain Beale's company of riflemen, stationed near the river, and the two battalions of free-men-of-color, under Lacoste and D'Aquin. Further on were the Kentuckians and Tennesseans, under Major General Carroll and General Coffee; nor must we forget the Baratarian privateers under Captain Dominique, who commanded Battery No. 3.

The Fight.—Long before dawn on the morning of the 8th, the Americans, lying in their intrenchments, had heard sounds in the British camp which told them there was to be an attack on their lines. They waited calmly for the sun to rise and show them the enemy. It was a cold foggy morning. At dawn two rockets went up from the British camp. They were the signal of attack. The mist that covered the

* Alexander Walker's Life of Jackson.

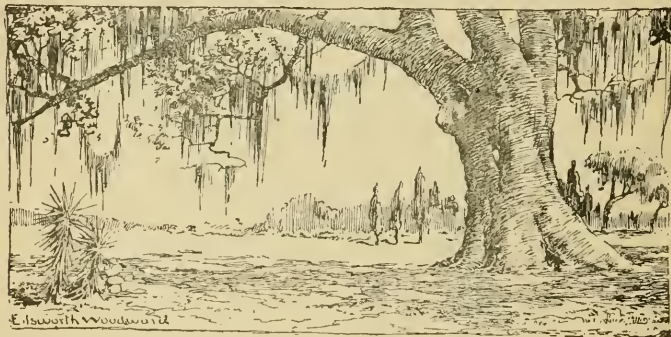
† Hence the old story that Jackson fought behind cotton bales on January 8th is a mistake.

plains as with a veil slowly lifted, and revealed the English columns approaching under General Gibbs. In front was the famous 44th regiment, composed largely of Irish soldiers. It was intended that these should bring up bundles of sugar cane to fill up the canal, and short ladders to mount the American fortifications. But by the negligence of their colonel they came unprovided, and had to be sent back to get them. Before they could fall back, however, the American batteries had opened upon them a murderous fire, which cut great gaps in their ranks. Jackson was everywhere along his lines, crying out: "Stand to your guns; don't waste your ammunition; see that every shot tells!" The Tennesseans and Kentuckians came forward in turn and poured a shower of bullets into the advancing British columns, while the American batteries on the other side of the river broke the enemy's lines with their shells. The effect was terrible; the field in front of Jackson's works was strewn with dead bodies. The 44th, headed by Pakenham himself, now advanced; but what could bravery do against opponents that never showed themselves, while they swept the field with volley after volley of grape-shot and shell and bullet? All that was left of Gibbs' command had to give way, and Keane brought to the front his splendid body of troops, headed by the Scottish Highlanders. As these gallant soldiers swept forward, Pakenham raised himself in his stirrups and cheered them.* But all was in vain. Out of the body nine hundred strong that advanced, only one hundred and thirty left that bloody field alive. Pakenham himself, as he bravely led his men, was wounded in the arm; but still he pressed forward. Suddenly a shell burst near by, killing his horse and wounding him in the thigh. He fell into the arms of his aid, and, as he was raised up, another shot struck him. Borne to the shelter of an oak near by, the young commander-in-chief expired before he witnessed the

* Walker's Life of Jackson.

total defeat of his army. Nor did the other principal officers escape. Gibbs received a mortal wound and welcomed death as a release from pain, while Keane was wounded too severely to take command.

Still the British pushed forward under Major Wilkinson, who succeeded in climbing to the top of the American fortifications. Here he too fell, pierced by twenty bullets. His



PAKENHAM'S OAK.

men were glad to fall upon their faces in the muddy canal and thus escape the hail of lead. Near the levee the British, under a brave officer named Rennie, rushed forward and captured the redoubt that guarded this point. But to take it was one thing, and to hold it another. The American riflemen soon forced them to retire with the loss of their commander.

General Lambert, who on Pakenham's death became commander-in-chief, brought up his reserve to shelter the columns as they fell back, but he did not venture to renew the attack on Jackson's lines. As the British retired, the American artillery continued to fire upon them, and the cannonading did not cease till 2 o'clock in the afternoon.

The Contest on the Right Bank.—Jackson had placed General Morgan on the right bank to oppose the advance of

the British. Morgan's position, though it was protected by a canal, was not a strong one, and could easily be turned by the enemy. His force was composed partly of Louisiana and partly of Kentucky troops—in all about six hundred men. These troops, however, seem to have been without discipline, and General Morgan did not manage them wisely. On the morning of the 8th, as we have seen, Colonel Thornton crossed the river with about six hundred men. He immediately began to advance up the right bank towards Morgan's lines: Almost no resistance was offered by the Americans. The Kentuckians fled in disorder, and were followed by the rest of Morgan's command.

The British, however, when they heard of Pakenham's defeat on the other bank, retired across the river, and the Americans occupied their former position. The flight of Morgan's troops, though they seem to have had some excuse for their conduct, brought a sharp rebuke from General Jackson, who did not understand how an American could retire before an Englishman.

British and American Losses.—An English writer who was present at the battle of New Orleans, states that Pakenham had seven thousand men on the field, and lost two thousand. Jackson lost only eight killed and thirteen wounded!

Fort St. Philip. Retreat of British.—The British fleet sailed up the Mississippi and attacked Fort St. Philip, but it was so bravely defended by the Americans under Major Overton that, though the English bombarded it from the 9th to the 18th of January, they were unable to take it. Finally, on the 18th, they retired down the river. On the same day General Lambert commenced his retreat across the marshes to Lake Borgne. He had given up all hope of taking New Orleans.

QUESTIONS.

Who commanded the British? What was Pakenham's first step? Tell about the arrival of the Kentuckians. Give the date of the Battle

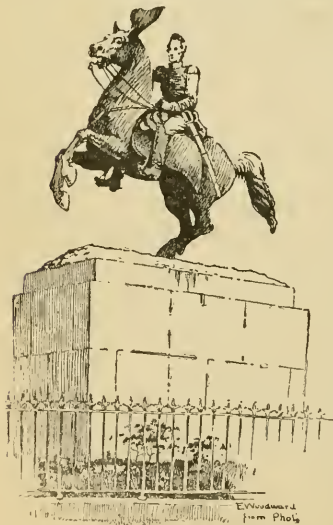
of New Orleans. How did the British prepare for the battle? Did Jackson fight behind cotton bales? What troops fought under Jackson? Describe the battle. Tell about the contest on the right bank. What were the losses on both sides? Describe the retreat of the British. Point out on the map the position of the British and the Americans.

CHAPTER XXVIII.

AFTER THE BATTLE.

Rejoicings in New Orleans.—What had been happening in the city during this time? The roar of the cannon on the

morning of the 8th had been distinctly heard by the inhabitants. Some veterans, who were no longer fit for active service in the field, had been left to defend the city; but the women and children were in a state of great excitement. Few persons believed that Jackson would be able to resist such a splendid army as Pakenham was known to have. There was a rumor, moreover, that the British had sworn to give over the city to a pillage of the most dreadful kind. Every one trembled at the thought of such a fate. From the battle-field no message had come. Suddenly, however, the sound of a horse's hoofs was heard, and a messenger almost breath-



JACKSON'S STATUE.

field no message had come. Suddenly, however, the sound of a horse's hoofs was heard, and a messenger almost breath-

less, galloped through the streets, crying: "Victory! Victory! Pakenham is defeated! Hurrah for General Jackson!"

Then the people poured out into the public square, and there was shouting and rejoicing such as had never been heard before in New Orleans. Not only had Jackson won a great victory, but he had lost only a few of his brave soldiers; and had not these met a glorious death in dying for their country?

All hatred of the English was lost in pity. The wounded British soldiers were brought up to the city on the steamboat, and everything was done for their comfort. Many of them were nursed by the colored women of New Orleans, who volunteered their services.

The Treaty of Peace.—Two weeks before the battle of New Orleans a treaty of peace between Great Britain and America had been signed at Ghent in Belgium; but alas! this was not known in Louisiana till February 10th. For the war took place before there was any telegraph and before a steamer had ever crossed the Atlantic, so that news traveled very slowly.

Jackson's Praise of His Troops.—On January 21st, Jackson issued general orders praising in the highest terms the conduct of the soldiers under his charge. The volunteers from the other States were thanked for their brave services, as were also the Creoles, many of whom he mentioned by name. The free-men-of-color, he declared, had acted with courage and perseverance; and the Baratarians, under the Lafittes and Dominique, had all deserved the thanks of the country. At his suggestion, the President of the United States pardoned the Baratarians for all their past misdeeds.

Jackson's Reception in New Orleans.—The 23d of January was appointed as a day of thanksgiving for the great victory. A triumphal arch was erected in the middle of the large square in which Jackson's equestrian statue now stands. The scene that followed is thus described by an eye-witness,

Major Latour: "The windows and balconies of the city hall (the old Cabildo) and all the adjacent buildings were filled with spectators. When General Jackson, accompanied by the officers of his staff, arrived at the entrance of the square, he was requested to proceed to the cathedral by the way prepared for him. As he passed under the arch he received crowns of laurel from two children, and was congratulated in an address spoken by Miss Kerr, who represented the State of Louisiana. The General then proceeded to the church amidst the salutations of young ladies representing the different States, who strewed his passage with flowers. At the entrance of the church he was received by the Abbé Dubourg, who conducted him to a seat prepared for him near the altar. Te Deum was chanted with solemnity, and soon after a guard of honor attended the General to his quarters; and in the evening the town, with its suburbs, was splendidly illuminated."

The Trial of Jackson.—It would be pleasant to record that General Jackson left New Orleans with the praises of the whole population ringing in his ears. But such was not the case. By a mistake of the authorities at Washington the General did not receive official notice that the Treaty of Peace had been ratified by Congress till March 13th, 1815. It is true that he had heard the news of the peace on the 10th of February; but as he believed in strict discipline, he insisted on keeping New Orleans under martial law till the official notice reached him; and he even went so far as to arrest Dominic Hall, judge of the District Court, who had displeased him.

After the official notice arrived the hero of Chalmette was summoned before Judge Hall, and fined one thousand dollars for having made an "unnecessary and arbitrary use of martial law." This fine the General promptly paid. As he left the Court House his friends hauled a carriage to the door, and, forcing the General to enter, they dragged him in triumph to

a neighboring coffee-house. Here he made a speech, which concluded with these noble words: "Considering obedience to the laws, even when we think them unjustly ap-



COURT HOUSE IN WHICH JACKSON WAS TRIED.

"plied, as the first duty of every citizen, I do not hesitate to comply with the sentence you have heard pronounced. Remember the example I have given you of respectful submission to the administration of justice."*

QUESTIONS.

How did New Orleans receive the news of Jackson's victory? If the telegraph had been in use at this time, would the Battle of New Orleans have been fought? How was Jackson received in New Orleans? Tell about Jackson's trial. What did Jackson say about obedience to law?

* Soon after this General Jackson left Louisiana. When he visited New Orleans again in 1823, he came as the guest of the State, and was received as a national hero. In the same year he was elected President of the United States. In 1845 Congress paid back to him the fine of one thousand dollars, with interest for thirty years; the Legislature of Louisiana offering at the same time to give the required amount out of the State Treasury. A few years later a splendid equestrian statue of the General was placed in the old *Place D'Armes*, which was rechristened "Jackson Square."

PERIOD OF DEVELOPMENT.

CHAPTER XXIX.

GROWTH OF THE STATE.

James Villere, Governor. 1816-1820.—After the British retired from Louisiana, no war came for many years to disturb the peace and happiness of the State, and Louisiana began to enjoy a period of wonderful prosperity. As soon as the soldiers who had served under Jackson laid down their arms, they returned to their various occupations and went to work with a new spirit. The fame of Louisiana's fertile lands had spread in all directions; and very soon settlers from Georgia, South Carolina and Virginia came crowding in to find homes in the new State. For many years, however, no great events took place; as we glance over the period, there seems to be nothing worth relating. But if we look more closely we find that what an English historian calls a "noiseless revolution" was going on. It was the revolution caused by the increase of population and the development of industries. In 1815 the population of the State, white and black, was only 90,000, but in 1820 it had grown to 153,407. Sugar and cotton were produced in greater quantities; and before many years had passed new methods of refining sugar had made this staple more profitable than ever before.

In 1816 Claiborne's term as governor came to an end. For twelve years he had held this office; and as a mark of their esteem for his high qualities, the legislature, in 1817, elected him as a representative of Louisiana in the United States Senate. A few months afterwards, however, he died. His successor as governor was General James Villeré, a Creole, who had distinguished himself alike in war and peace. It

will be remembered that he was a rival candidate in the election of 1812.



GOVERNOR JAMES VILLERE.

Governor Villéré found that with the new population a great many persons of bad character had slipped into the State, and that the morals of New Orleans needed correction. Measures were quickly taken to put down all lawlessness in the city by establishing a Criminal Court and by passing severe regulations. By this means good order seems to have been very soon restored, for we hear no further complaint of the evil-doers.

Yellow Fever and Overflow.—The only things that interrupted the prosperity of the State at this time were the yellow fever and the overflows of the Mississippi, both of which came with terrible regularity. There was a great deal of discussion in regard to the necessity of building better levees, but very little work seems to have been done. In fact the native inhabitants appear to have regarded the overflows and the fever as a matter of fate—something that could not be avoided. Moreover those who were acclimated soon ceased to fear the fever; its victims were to be found chiefly among the new settlers. According to Gayarré, many of the old Creoles even welcomed its coming, because they hoped it would keep out the bustling, pushing Americans, who threatened to take possession of the State. This jealous feeling toward the Americans continued for some years, and kept the Creoles a kind of separate race in Louisiana. Finally, however, the two mingled freely, and all ill feeling was for-

gotten. In our day it is hard to believe that any such trouble ever existed; for the Creoles, though they like to preserve the French language, take pride in being Americans, and welcome settlers from all parts of the Union.

Banks and Speculation.—The business of New Orleans increased with the prosperity of the State. Great warehouses were built, fine residences were seen on every hand, and city property rose rapidly in value. As forty millions of dollars had been invested in sugar plantations, many banks were necessary for the large transactions that were taking place. In 1818 the Bank of Louisiana, with a capital of two millions, had been incorporated. Others soon followed, and every one was eager to take stock in them. Unfortunately, however, this craze for new banks went too far. As these institutions lent money freely, the planters borrowed large sums on their lands, and, as the money seemed easy to get, they spent it lavishly. On their estates they displayed a splendid hospitality and lived like princes. The State itself took shares in the new banks, and for a time all went well. But soon there was a period of wild speculation. Property in and around New Orleans was bought at prices far exceeding its value; even the swamp lands back of the city, which were useless for any purpose, were eagerly purchased by speculators.

The banks had been allowed to issue notes, which were accepted as money; for it was supposed that there was sufficient specie in their vaults to exchange for these notes whenever the holders wished to have them redeemed. Finally, however, there was what is now called a "panic." It was discovered that the banks had gone far beyond their means, and were not able to redeem their notes. In the year 1837, the crisis came, and in one day fourteen banks suspended. Of course the paper money became of no value, and many persons were ruined. Property that during these times of rash speculation had risen very high, now fell very low. But

this bitter experience taught every one to be more cautious in conducting business, and the general prosperity of the State was not long interrupted. As nothing could prevent the rich soil from producing fine crops of sugar and cotton, and as a ready market was found for these staples, the planters rapidly recovered from the "panic." *

Lafayette.—In the year 1824, the Marquis de la Fayette, the distinguished Frenchman who had fought for the independence of America in the Revolution of 1776, came over to the United States. He was received everywhere with great honor, and was invited by the people of Louisiana to visit their State. He consented, and on April 9th, 1825, he arrived at Chalmette field. Here he was met by a committee of citizens and escorted to the city. The State legislature having voted fifteen thousand dollars for his entertainment, the old Cabildo on Jackson Square was fitted up as a residence. In this historic building Lafayette received the citizens, who came in great numbers to do him honor. Triumphant arches were erected; there were many splendid banquets; and the city gave itself up to enjoyment. Louisiana had not been one of the American colonies in 1776, but the Spanish governor of that day, it will be remembered, had aided the struggling colonies as much as he could; and now, in 1825, the people of Louisiana wished to show that they joined the rest of America in their love and respect for this noble "guest of the nation." After leaving New Orleans Lafayette ascended the Mississippi river. Everywhere that he stopped he was received with the highest honors. The United States Government presented him with the sum of two hundred thousand dollars and a large tract of land in Florida.

The Capital Removed.—In the same year (1825) an act of the legislature was passed to remove the Capital from

* Our present State National Banks, which issue paper money secured by bonds deposited in the U. S. Treasury, and which consequently can not refuse to redeem their notes, were not established until 1863.

New Orleans to Donaldsonville. This was done partly because the country parishes wished a more central location than New Orleans, and partly because it was thought that the legislators would do their work better in a quiet country town than in a gay city. The sum of five thousand dollars was expended on a building in Donaldsonville, and the transfer was made. But the legislators found the little town so dull after the pleasant life to which they had been accustomed, that they longed to return. Finally, in 1831, they adjourned the house one day, and taking the steamboat, were soon back in the Crescent City, which thus became the Capital once more.*

First Railroad.—Before it left Donaldsonville, the legislature passed an act incorporating the Pontchartrain Railroad Company. This railroad is the oldest in Louisiana, and the second that was completed in the United States. It is still in existence, and connects New Orleans with the pleasant little town of Milneburg. Some years passed before other railroads were built.

New Orleans Lighted by Gas.—Just four years later (1834), New Orleans was for the first time lighted by gas. Up to this time, as we learn from old newspapers, the privilege of furnishing oil and matches to light the city had been sold every year to the lowest bidder. When gas was introduced it was soon found that the increase of light diminished very much the number of crimes committed on the streets at night. But it is only since the introduction of electricity within the last ten years, that it has been clearly shown that plenty of light will do as much to free a city from criminals as will the best of laws.

* New Orleans remained the Capital till 1849, when the legislature met for the first time in Baton Rouge, which had been made the seat of government. After the Civil War the legislature assembled in New Orleans till 1882 when a transfer to Baton Rouge once more took place.

QUESTIONS.

Tell about the noiseless revolution in Louisiana. Who succeeded Claiborne as governor? What interrupted the prosperity of the State? What caused the bank failures in 1837? Who was Lafayette? How was he honored on his return to America? Why was the Capital removed from New Orleans? What was the first railroad in Louisiana?

 CHAPTER XXX.

GROWTH OF THE STATE — CONTINUED.

During the period which we have been reviewing Louisiana was blessed with a succession of excellent governors. As there was little political strife in these times, and as the State was generally very prosperous, some modern writers have named this period the “Golden Age of Louisiana.”

Public Domain.—In 1820 Governor Villeré was succeeded by Thos. B. Robertson, a distinguished lawyer, who greatly endeared himself to the people by his wise and useful administration. After nearly four years’ service he retired,* and the governor’s chair was occupied from 1824–28 by Henry Johnson, who had previously held a seat in the United States Senate. The messages of these governors declare that the State was then in a prosperous condition; but they contain constant complaints of the United States authorities for their management of the public lands in Louisiana. In making Louisiana a State the Government at Washington had reserved for itself large tracts of land that were not then occupied. As the population increased, the State Government wished to get possession of these lands, which were becoming more valuable every day; but for some time the General Gov-

*Governor Robertson, having been appointed district judge, resigned, and his term was completed by Hon. H. S. Thibodaux, who was president of the State 1821/2.

ernment refused to surrender them. Finally, however, an arrangement was made by which Louisiana received a great part of this public domain, as it was called, and from the sale of certain portions money was obtained to build levees, to found institutions of learning, and to pay a part of the State debt. Large areas are still owned by the State.*

Pierre Derbigny.—In 1828, Johnson was succeeded as governor by Pierre Derbigny, who had previously been a judge of the Supreme Court and secretary of state. In the following year, however, Governor Derbigny was thrown from his gig and killed. As there was no



PIERRE DERBIGNY.

lieutenant-governor under the old constitution, the president of the senate, A. Beauvais, acted as governor until the legislature met, when he was followed by a second president of the senate, Jacques Dupré. Finally, in 1830, a regular election was held, and the governor chosen was A. Bienvenu Roman.

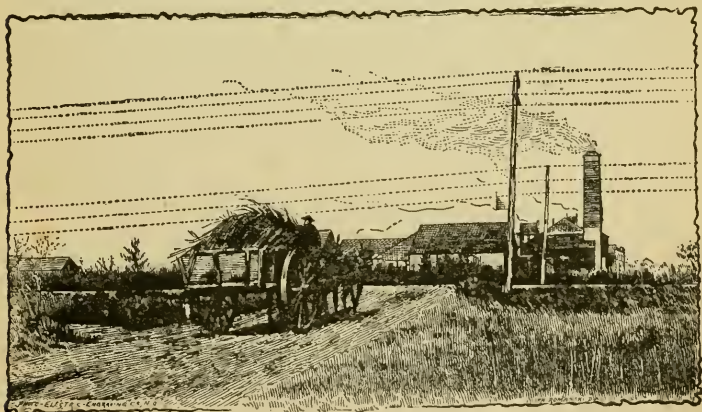


GOVERNOR A. B. ROMAN.

*The University at Baton Rouge is partly supported by funds obtained from the sale of public domain. The United States Government still owns many thousands of acres in the upper parishes of Louisiana. This land is given away in certain quantities to settlers.

A. B. Roman, Governor. 1831-1835.—Governor Roman was a fine type of the Louisiana Creole, and his services to his native State were very important. He founded Jefferson College in St. James parish, and when the legislature made an appropriation for its support, he added a subscription from his own fortune. Professors were brought over from Europe, and many students were educated in the new college. In managing the affairs of the State, Governor Roman showed great ability. Being violently opposed to the wild speculations of his time, he did all that he could to keep the State from indulging in them. To him also, we owe the establishment of the first experimental farm to advance the study of agriculture. As we shall see he was the first governor of the State to enjoy the honor of a second term.

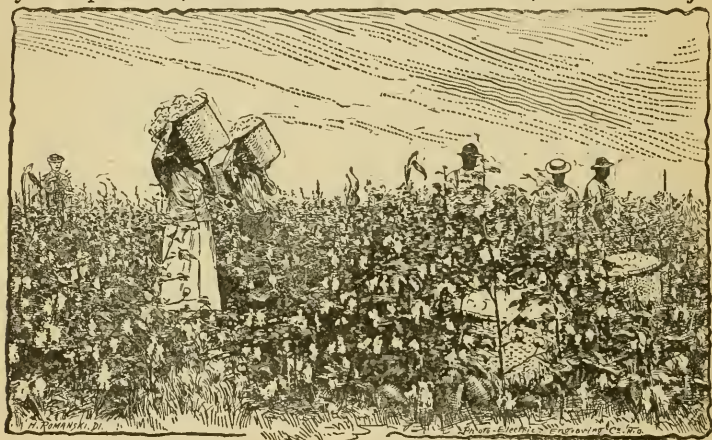
Refining of Sugar.—During Roman's first term, and in the next few years, great progress was made by some prominent planters in the refining of sugar. Up to this time it



CARRYING CANE TO THE MILL.

had been often said that Louisiana sugar was not suitable for refining, and there were many complaints of its inferior quality. About the year 1830 some of the richest planters

determined to show that a fine grade of sugar could be produced in the State. The result of their experiments was watched with the same interest that was shown when Etienne de Boré made his successful attempt to produce granulation. What is called the "vacuum process" had been introduced by two planters, Messrs. Gordon and Forstall, and was very



PICKING COTTON.

successful. Two other rich planters, Valcour Aime and Thos. Morgan, of St. James parish, now purchased expensive machinery and the best chemicals for the refining process. Their first experiment succeeded beyond their expectations. They produced a high grade of refined sugar, several tons of which were sent to the North as a proof that Louisiana could compete with other countries in supplying the markets of the United States. It was even hoped that all the inhabitants of America could be supplied with Louisiana sugar.

Cholera.—In 1832, Louisiana was visited by a terrible disease called Asiatic Cholera. It proved to be a far worse scourge than ever the yellow fever had been. Beginning in Asia it had spread over Europe, and was then brought by a

ship to Canada. From Canada it finally reached Louisiana. Here as many as five thousand persons died of it. The negroes, who generally escaped the yellow fever, died in large numbers of this new disease.

Edward D. White, Governor. 1835-39.—In 1835, E. D. White,* who had for several years been an able representative in the Congress of the United States, was elected governor. During his administration there was a great increase in the amount of cotton produced. The price of sugar fell to six cents a pound, which in those days was considered too low for a profit. Every one, therefore, began to neglect sugar and cultivate cotton. In 1836 Louisiana produced 225,000 bales, which was nearly double the crop of 1834. After 1840, however, a new tariff brought up the price of sugar, which became once more the great staple of Louisiana. Nineteen of the southern parishes devoted themselves to its cultivation, while Rapides, Avoyelles, Concordia, Catahoula, and Calcasieu, which had, before this, raised only cotton, now prepared to try the cane. The result was that in 1844 the crop was 200,000 hogsheads.

Growth of New Orleans.—New Orleans, which always prospers with the State, had grown rapidly. The city was spreading beyond its old limits of Canal and Esplanade streets; for its population, which in ten years had more than doubled, now reached 102,000. In one year 2000 sailing vessels and 1600 steamboats arrived at its levees.

Overflow of 1840.—In the meantime Governor White had been succeeded by A. B. Roman, whose second term lasted until 1843. During his administration there was an unusual rise in the Mississippi river. There had not been such a flood, says an old historian, since that of 1782, when the prairies of the Attakapas and Opelousas country were partly overflowed. The Mississippi now spread over the parishes of Lafourche and Concordia, while the waters of Red river covered the

*The father of E. D. White, now Associate Justice of the U. S. Supreme Court.

the old constitution no one was allowed to vote who had not a certain amount of property. Now all this was changed; the right of suffrage was granted to any male white twenty-one years of age who had resided two years in the State.

Formerly the governor was obliged to own a landed estate worth five thousand dollars; but now the poorest man in Louisiana could be elected to the highest office. Moreover, a change was made in the method of electing the governor—a change which is found in all the subsequent constitutions. By the constitution of 1812, the general assembly was permitted to choose the governor by ballot from the two candidates that had received the highest number of popular votes. Thus it was in the power of this assembly, if it wished, to choose the candidate that had received a smaller number of popular votes than his opponent; though such a disregard of the people's wishes never occurred. The new constitution, however, provided that the general assembly must declare the candidate receiving the highest number of popular votes to be the duly elected governor.

It was under this constitution, also, that the offices of lieutenant-governor and superintendent of education were created. The first superintendent, Alexander Dimitry, did noble work for the schools.

During this early period duelling had been very common in Louisiana, and the framers of the constitution determined to try to check it. Hence we find a provision that no State officer could enter upon his duties unless he swore that, since the adoption of the constitution, he had not engaged in a duel. A still severer article is found in the latter constitution of 1852, which declared that no one who had been engaged in a duel should be allowed to vote. In our latest constitutions, those of 1879 and 1898, all provisions in regard to duelling have been dropped; and the practice itself seems to be disappearing.

Isaac Johnson, Governor. 1846-50. The Mexican War.
—Under the new constitution. Isaac Johnson, who had held

the office of district judge, was elected governor. Scarcely had he begun his duties when a serious war began between the United States and Mexico. The cause of the war was



this: When Louisiana was purchased, Texas remained a part of Mexico. As many American settlers, however, had moved into this territory, the United States Government tried to purchase it, but Mexico would not sell. In 1835 Texas boldly took the matter into her own hands. Throwing off her allegiance to Mexico, she declared herself a free republic, and asked to be admitted into the Union as a

GOVERNOR ISAAC JOHNSON. State. At first Congress would not consent, for there was a party in the North who wished to abolish slavery, and who opposed the admission of Texas because she would be admitted as a slave State. In spite, however, of this and other objections, Texas was finally made a State in 1845. It was a fine thing for the United States to acquire this splendid piece of territory; but Mexico was very angry at the interference of the American Government, and before a year had passed war was declared between the two countries.

General Zachary Taylor, who owned an estate near Baton Rouge, was sent with a small army to defend the border of the new State. As the Mexicans threatened him with a superior force, he called upon Governor Johnson for additional troops. When the governor brought the matter before the legislature, the sum of one hundred thousand dollars was immediately voted for the purpose of sending help. New Orleans was wild with enthusiasm. The military companies seemed as anxious to fight as they had been some thirty years before at Chalmette. "In a few days," says General Owen,

in his account of the Mexican War, "the Washington Regiment, of New Orleans, 1000 strong, was on its way on transports down the Mississippi." Other troops followed until Louisiana had sent a considerable force to aid her sister State against the Mexicans. The details of the war that followed can not be given here. It is sufficient to say that the Mexicans were defeated on every side, and that finally the American army under General Scott fought its way to the City of Mexico and captured it. The last defence of the city was the fortress of Chapultepec, which was taken by storm. In this portion of the campaign as well as in the battles of Monterey and Buena Vista, the Louisiana troops served with splendid courage. General G. T. Beauregard (then major), distinguished himself, and was twice wounded. As we look over the list of officers from Louisiana we see such well known names as Dessommes, Musson, Blanchard, Bourgeois, Soniat, and Hunt.

With the surrender of the Mexican capital the war ended, and the Mexicans were glad to make peace. It was agreed that Texas should take as her southern boundary the Rio Grande river—a boundary which Mexico had not been willing to grant before the war.

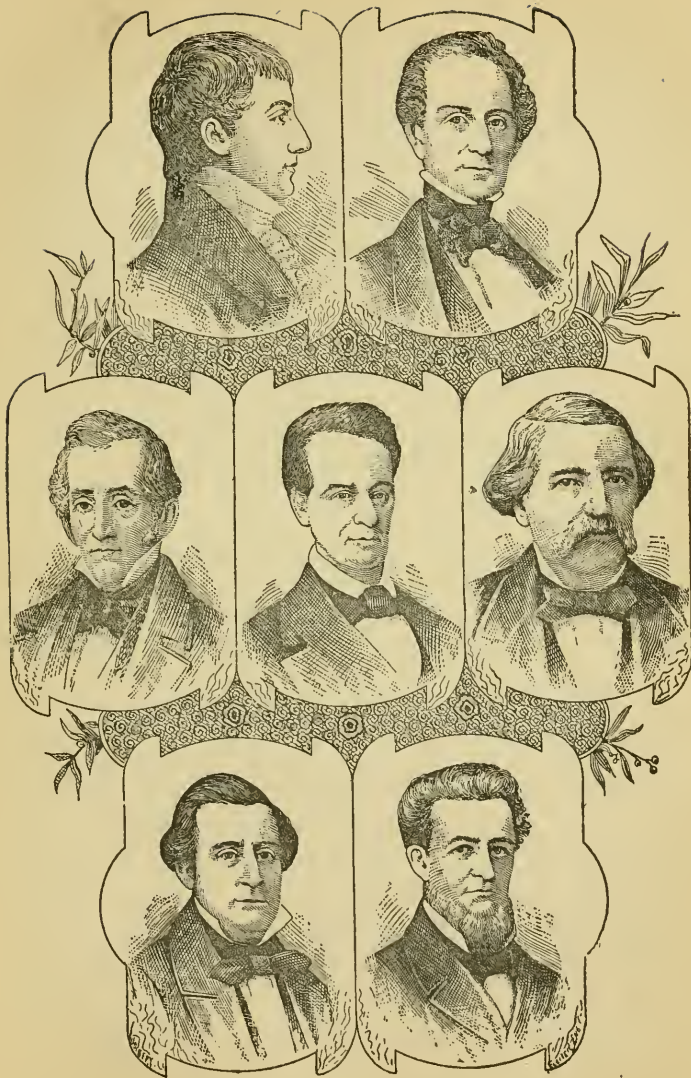
General Joseph Walker, Governor. 1850-53.—The successor of Isaac Johnson was General Joseph Walker, who had previously held high offices in the State. During his administration, the people, having already become dissatisfied with the constitution of 1845, decided to have another framed. The result was the constitution of 1852, which was still more democratic than the previous one. Among other things it declared that the judges of the State Supreme Court instead of being appointed by the governor, as they are at the present day, should be elected by the vote of the people. The object of this measure was to limit the power of the governor, but it was not a wise step. Moreover, the privilege of creating new debts for the State, which had

been denied the legislature by the constitution of 1845, was now once more granted.

Paul Hebert, Governor. 1853-56.*—Under the new constitution Paul Hebert was elected governor. He had previously occupied, says Gayarré, the position of State engineer, and had been president of the late constitutional convention. During his administration there occurred one of the most terrible yellow fever epidemics that Louisiana had ever seen. Formerly the disease had generally confined itself to New Orleans, but now it spread over every part of the State, and thousands of the inhabitants died. Never since the coming of the cholera had such sorrow and dismay been felt throughout the State. When the fever was over, however, trade was resumed and the State began once more to prosper. Among the signs of this prosperity it may be mentioned that during this period the public school system, which thus far had not been very successful, was aided by State funds and put upon a better basis. A few years before (1847) the University of Louisiana (now Tulane) had been established in New Orleans. The State now made appropriations to complete the University buildings and to aid other institutions of learning.

R. C. Wickliffe.—In 1856 Governor Hebert was succeeded by Robert C. Wickliffe, a native of Kentucky, who had settled in West Feliciana. Here Mr. Wickliffe had won prominence as a lawyer, and had afterwards been elected a State senator. During his administration there was much political excitement in Louisiana, in which the leading lawyers took an active part. Among these, three of the most prominent were Pierre Soulé, John Slidell, and Judah P. Benjamin. Before the war all three served in the United States Senate, where they courageously defended the Southern Cause in the discussions that arose.

* Hebert was installed as governor in January, 1853, but by a special article of the new constitution the terms of all officers were regarded as beginning in January, 1852.



Gov. Thos. B. Robertson.	Gov. Henry Johnson.
Gov. E. D. White.	Gov. Joseph Walker.
Gov. R. C. Wickliffe.	Gov. P. O. Hebert.
	Gov. Thos. O. Moore.

QUESTIONS.

What was the character of Governor Mouton? Tell about the changes made by the new constitution. What important event occurred during the administration of Governor Johnson? Give an account of the Mexican War. What changes were made by the constitution of 1852? Tell about the yellow fever in Hebert's administration. Who was the successor of Governor Hebert?

THE CIVIL WAR—1861-65.

CHAPTER XXXII.

BEGINNING OF THE WAR.

The Approach of War.—The annual messages of Hebert and Wickliffe show that the great topics of discussion in Louisiana were slavery and secession. The war was not far off, and these messages, full of fiery sentiments, were like the low thunder that announces the coming of a storm.

The party opposed to slavery, known as the Republican party, had been rapidly growing at the North, and seemed likely at an early day to gain control of the National Government at Washington. Louisiana and the other Southern States thought that, if this happened, an attack would be made upon the institution of slavery; perhaps a law would be passed to do away with it altogether. At this period the North no longer had any slaves; while the South depended upon them for the cultivation of her plantations, which, it was believed, could not be worked by white labor.

The Causes of the War.—From the beginning of the nineteenth century there had been some jealousy between

the Northern and the Southern States; and this feeling, unfortunately, increased as the differences between the two sections became more marked. Slavery never flourished in the cold North as it did in the warm South. Moreover, the Northern people had no large plantations, and generally preferred manufactures to agriculture. In the South the slaves were suited both to the climate and to the occupation of the people. Now it was very difficult to make satisfactory tariff laws for two portions of a large country, which depended for their support upon different kinds of products. A tariff, for instance, that protected the manufacturer of the North often threatened to ruin the planter of the South. Whichever section of the country, therefore, had the majority in Congress was able, if it wished, to pass laws very injurious to the other. Thus we have seen that, in 1811, Josiah Quincy, of Massachusetts, declared in Congress that if Louisiana were admitted as a State, the older States would be justified in breaking up the Union; for, as he argued, Louisiana could not have the same interests as the Northern and Eastern States.

Twenty-four years later (1833), there was a great debate in the United States Senate between Daniel Webster and John C. Calhoun. Webster, who was from Massachusetts, declared that the Constitution of the United States did not permit a State under any circumstances to withdraw from the Union. Thus Massachusetts had changed her opinion of the Constitution since the days of Josiah Quincy. Calhoun, who was from South Carolina, maintained that the right to withdraw from the Union belonged to every State; for, in ratifying the Constitution, the States had reserved to themselves this power. Such was the famous "State Rights Doctrine." In general the North took the side of Webster, while the South took the side of Calhoun.* The debate in

* It is interesting, however, to note that Webster's distinguished biographer, Henry C. Lodge, though a Northern man and a violent opponent of secession, admits that, in this great debate, Calhoun proved his interpretation of the Constitution to be the true one.

this case had arisen over a tariff law passed by Congress. As this law was regarded as a violation of the Constitution, South Carolina "nullified" or refused to obey it, and prepared to secede, in case the President attempted to enforce obedience. The trouble, however, ended in a compromise. Each side gave up something, and a tariff diminishing yearly till it ceased, was finally adopted. Thus the great question of what rights belonged to the States and to the General Government respectively, was not settled, but only deferred.

When, therefore, some years later, the party in the North opposed to slavery grew very strong and seemed to be on the point of getting possession of the Government, the South naturally began to discuss once more the question of secession. Would the North dare to interfere with slavery, which had so long been an established institution in the South? If a Southern State submitted to such interference it would lose its self-respect; secession was the only means of preserving its rights. This was the general feeling in the South; while the North was determined to preserve the Union at all hazards. Each side thought itself in the right, and it looked as if the long contest over the question of secession, which slavery had thus brought to the front once more, could be decided only by a war between the two sections.

As soon, therefore, as the Republicans, in 1860, succeeded in electing as President Abraham Lincoln, the Southern States prepared to secede from the Union, and to defend their action, if necessary, by an appeal to arms.

Louisiana Secedes.—The first State to pass an ordinance of secession was South Carolina, which many years before had so boldly asserted her rights through the statesman, John C. Calhoun. Other Southern States followed. In Louisiana a convention was called at Baton Rouge to decide what course the State should pursue. The officer elected to preside on this important occasion was the venerable Ex-Governor Alexander Mouton, a man highly respected by all

the people of the State. By a vote of 113 yeas to 17 nays, the convention decided that Louisiana would join her sister States in withdrawing from the Union (January 26, 1861).^{*} This decision was destined to bring sorrow and disaster upon the State, but the Louisianians believed that under the Constitution of the United States they had the right of secession, and they were determined to fight, if necessary, to maintain it. The governor of Louisiana at this time was Thos. O. Moore (1860-64), a rich planter and man of large influence. He strongly supported the course pursued by his State.

The New Government.—In February, 1861, the various States that had seceded sent representatives to a Southern

^{*}The ordinance of secession was as follows:

“THE STATE OF LOUISIANA.

“An ordinance to dissolve the Union between the State of Louisiana and other States united with her under the compact entitled

“ ‘THE CONSTITUTION OF THE UNITED STATES OF AMERICA’

“We, the people of the State of Louisiana, in convention assembled, do declare and ordain, and it is hereby declared and ordained, that the ordinance passed by us in convention on the 22d day of November, in the year 1811, whereby the Constitution of the United States of America, and the amendments of the said Constitution, were adopted; and all laws and ordinances by which the State of Louisiana became a member of the Federal Union, be and the same are hereby repealed and abrogated; and that the Union now subsisting between Louisiana and other States, under the name of ‘The United States of America,’ is hereby dissolved.

“We do further declare and ordain, That the State of Louisiana hereby resumes all rights and powers heretofore delegated to the Government of the United States of America; that her citizens are absolved from all allegiance to said Government; and that she is in full possession and exercise of all those rights of sovereignty which appertain to a free and independent State.

“We do further declare and ordain, That all rights acquired and vested under the Constitution of the United States, or any Acts of Congress, or treaty, or under any law of this State, and not incompatible with this ordinance, shall remain in force and have the same effect as if this ordinance had not been passed.”

On the 18th of February, 1861, the legislature passed the following joint resolution:

“1. *Be it resolved by the Senate and House of Representatives of the State of Louisiana, in general assembly convened,* That the right of a sovereign State to secede or withdraw from the Government of the Federal Union and resume her original sovereignty when in her judgment such act becomes necessary, is not prohibited by the Federal Constitution, but is reserved thereby to the several States, or people thereof, to be exercised, each for itself, without molestation.

“2. *Be it further resolved, etc.,* That any attempt to coerce or force a sovereign State to remain within the Federal Union, come from what quarter and under whatever pretence it may, will be viewed by the people of Louisiana, as well on her own account as of her sister Southern States, as a hostile invasion, and resisted to the utmost extent.

“C. H. MORRISON,
“*Speaker of the House of Representatives.*

“B. W. PEARCE,

“*President of the Senate.*

“THOS. O. MOORE,

“*Governor of the State of Louisiana.*”

Congress, which met at Montgomery, Ala. A new government was formed under the title of the "Confederate States of America," a new constitution was adopted, and Jefferson Davis, of Mississippi, was elected President.*

The Fall of Fort Sumter.—For a short time it was thought that the North and the South could agree on some plan of compromise and that there would be no war. But on April 12, 1861, General G. T. Beauregard,† of Louisiana, who was in charge of the South Carolina defences, was instructed by the Confederate Government to fire on Fort Sumter in Charleston Harbor. This step was taken because a fleet, with a large supply of provisions, was on its way from New York to aid Sumter in withstanding any attack. The fort was at this time occupied by United States troops under Major Robert Anderson, and it refused to surrender until it

had been bombarded for thirty hours. This bombardment opened the war, for the "Fall of Sumter" aroused the North, and President Lincoln called for 75,000 volunteers to compel the South to come back into the Union. The terrible contest lasted four long years. Its course was marked by famous battles and great deeds of valor. Among the soldiers of the South



GEN. G. T. BEAUREGARD.

none gained greater fame than those from this State, but if

* The list of Confederate States was as follows: South Carolina, Mississippi, Alabama, Georgia, Louisiana, Florida, Texas, Virginia, Arkansas, Tennessee, and North Carolina. Missouri and Kentucky did not secede, but the Southern sympathizers in these States formed revolutionary governments, which were recognized by the Confederacy.

† General G. T. Beauregard became one of the most prominent generals on the Confederate side. As we have seen, he opened the war by the capture of Fort

we followed them in all their campaigns, we should have to give an account of the whole war. In this little volume, therefore, we shall relate only those events that occurred on Louisiana soil.

Preparations for War.—When the cry *To Arms!* was heard in Louisiana, the greatest enthusiasm filled the hearts of the people. Business was forgotten, and preparations were made to send as many troops as possible to Virginia, which, it was known, would be the chief battle ground of the war. Those who failed to enlist were regarded as traitors to the South. The famous Washington Artillery paraded the streets of New Orleans amid the cheers of the people, and after listening to a stirring address from an eloquent preacher, took its departure for Richmond. Other companies followed, until the old city had few troops to defend her in case she was attacked. The soldiers of Louisiana had gone to win laurels for themselves on battle fields far from their native State. At this time hardly any one thought that the war would ever reach Louisiana; for the South believed she could successfully defend her territory against the Northern armies.

QUESTIONS.

Describe the approach of war. Give the causes of the war. Who was elected President in 1860? When did Louisiana secede? Name the Confederate States. Describe the fall of Sumter, and the preparation for war in Louisiana.

Sumter. Subsequently he won great fame at Manassas and on other battle fields. After the war General Beauregard lived in New Orleans, where he died February 20, 1893. His body lay in state at the City Hall. In his honor the business of New Orleans was practically suspended and all public institutions were closed.

CHAPTER XXXIII.

THE WAR IN LOUISIANA.

Importance of New Orleans. Its Defences.—For nearly a year the State remained undisturbed; but in the



winter of 1862 a Federal fleet and an army arrived at Ship Island, with the intention of attacking New Orleans. The main object was to get possession of the great highway of

America, the Mississippi river, and thus cut off the troops and supplies which the South could bring over from Louisiana and Texas to aid her army. But the North knew that unless New Orleans were captured, it would not be possible to hold the lower Mississippi. Extensive preparations, therefore, had been made to seize the Crescent City.

On the other hand, the Confederate Government does not seem to have appreciated the importance of New Orleans, for again, as in the days of the English invasion, the city was by no means well protected. At the Rigolets, Barataria Bay, and other inlets, there were some batteries, but they were very weak, and the only strong defences were on the Mississippi, about thirty miles from its mouth. These were Fort Jackson and Fort St. Philip, the latter of which had resisted the English so successfully in the days of Andrew Jackson. Besides the guns of these forts, there were in the Mississippi, just above them, eighteen war vessels to protect the passage of the river and prevent an enemy from slipping past. Below the forts the river was obstructed by a line of mastless vessels, placed across the channel and bound together by a number of iron chains. The entire river defence was under the command of General J. R. Duncan.

Farragut's Fleet.—The Federal fleet at Ship Island was under Flag-Officer David G. Farragut, who was afterwards made an admiral for his splendid services on the Mississippi. He was a Southern man, and had once lived in New Orleans, but when the war broke out he remained in the Northern service. He was one of the bravest and most skilful commanders that the American navy has ever had. His fleet consisted of four powerful sloops of war, each one carrying over twenty guns, together with a number of gunboats and mortar schooners—amounting in all to forty-three vessels. Part of these were under Commander D. D. Porter.

Farragut's plan was to come up the Mississippi, bombard the forts, and try to reach New Orleans. If this could be

accomplished, General B. F. Butler, at the head of 15,000 troops, was to follow him and occupy the city.

The Passing of the Forts. April 23, 1862.—When this formidable fleet came within about half a mile of the forts, a terrible bombardment began and continued several days. Fort Jackson received the greatest part of the attack, and returned the fire of the Federal vessels with great spirit and accuracy. On the second day, the 19th of April, a shot from this fort struck one of Farragut's schooners, passed through her bottom, and sunk her. As there seemed to be no chance of reducing the forts, the bold Flag-officer determined to break through the obstructions and run past. On the 20th, after dark, two vessels were sent forward to investigate. One of these, the *Itasca*, ran boldly against the chains which bound the old hulks together. These chains, not being sufficiently strong, snapped in two, and an opening large enough for the passage of the war vessels was made. For three more days, however, Farragut continued to bombard the forts, while he was busy making preparations to run the gauntlet. At 2 o'clock on the morning of the 24th, everything was ready, and the signal for the advance was made from the flag-ship. The excitement on both sides was intense. The forts knew that an attempt to run by them was about to be made; but in the darkness the gunners could not aim very accurately. Still they made ready, and as the fleet began to pass, they poured upon it a terrible discharge of shot and shell. Fire rafts were sent down to render the passage dangerous, and the flag-ship *Hartford* was soon in flames; but her crew extinguished the fire and she pressed on. The little Confederate fleet above the forts fought gallantly to defend the passage. The *Governor Moore*, a Confederate gunboat, commanded by a skilful officer named Beverly Kennon, rammed and fired into the Federal vessel *Varuna*, which was so disabled that she sunk. But the Northern fleet was too powerful to be stopped, and though many of his gun-

boats were riddled with shot, Farragut soon scattered or destroyed the Confederate vessels.

The Confederates had made an heroic defence, but the enemy had fought their way through, and New Orleans was lost. On the 25th of April Farragut reached some batteries placed by the Confederates on both sides of the river near Chalmette. Having quickly silenced these, he anchored before New Orleans.

Burning of the Cotton.—As soon as the news reached New Orleans that Farragut had passed the forts, the dismay of the inhabitants was so great that at first nothing was done. Then as the people realized that the troops in the city were not sufficient for its defence, they decided to destroy everything that might aid the enemy. The South had refused to let any cotton be exported, imagining that the factories of the North would thereby be crippled, and that the want of this important staple would force foreign nations to aid the Confederacy. "Cotton is king," was the cry, "and by withholding it from the markets the South will win the day." Hence, there was at this time a large quantity of cotton in New Orleans, and the authorities were determined that it should not fall into the hands of the invaders. Twelve thousand bales were quickly piled upon the levee and set on fire; warehouses were broken open, and barrels of sugar and molasses were added to the burning mass. The very gutters ran with molasses, and the banquettes were covered with sugar. Many of the steamers at the levee were set on fire; and a powerful gunboat called the *Mississippi*, which had not been finished in time to be of any use, was sent down the river a mass of flames to meet Farragut's fleet. A cloud of black smoke rested over the city like a symbol of ruin and destruction.

New Orleans Occupied by the Federals.—When Farragut had anchored in front of New Orleans, he sent an officer to Mayor Monroe to demand that the city should be sur-

rendered and that the Louisiana flags should be removed from all public buildings. The mayor, probably hoping that something might still be done to save the city, refused to surrender, and for some days negotiations were carried on between him and Farragut. In the meantime, however, the Confederate forces in New Orleans under Gen. M. S. Lovell, being too weak to make a successful resistance, retired from the city. If any resistance had been made Farragut would have bombarded New Orleans and killed thousands of the inhabitants. The retreat of Lovell, therefore, was a wise measure. Moreover, the forts on the river had surrendered to Porter, who had been left in charge of the mortar schooners. Finally, on the 30th of April, Farragut sent two of his officers, with a strong guard, to the present City Hall, with orders to pull down the flag that waved there, and run up the "Stars and Stripes" in its stead. An immense crowd of citizens looked on; but resistance was now useless, and none was made. New Orleans was in the hands of the enemy.*

On May 1, the city was handed over by Farragut to the control of General B. F. Butler, who had followed with a large army. Butler was a coarse, rough man, who treated the people with great indignity. His tyrannical behavior will long be remembered in New Orleans. The only thing that has been said to his credit is that he cleansed the city and kept it in the best sanitary condition that it has ever known. This task, however, was rendered easy by the fact that the city had been deserted by a large number of the inhabitants. Moreover, the absence of foreign trade during the war helped to keep all Southern cities free from disease.

* Before Farragut had taken possession of New Orleans, a United States flag was placed over the Mint by the crew from one of his vessels. As the city had not surrendered, this act caused a great deal of indignation. Three bold youths, Harper, Burgess, and Canton, under the leadership of W. B. Mumford, determined at the risk of their lives to pull it down. Adolphe Harper was the first to reach the flag. He and his companions handed it over to Mumford, who dragged it through the streets in triumph. When Butler took command of the city he had Mumford arrested, tried, and hanged. The three youths escaped. As the flag had been placed on the Mint without the orders of Farragut, the execution of Mumford was unjust and cruel.

The fall of New Orleans was a great blow to the Southern Cause. It was held till the close of the war by Union soldiers, who thus controlled the mouth of the Mississippi, and at the same time had a convenient point from which to attack the Confederates.

QUESTIONS.

How was New Orleans defended? Why was New Orleans an important city to capture? Describe the passing of the forts. What was the effect of the news in the city? Describe the occupation of New Orleans.

CHAPTER XXXIV.

THE WAR IN LOUISIANA — CONTINUED.

The Opening of the Mississippi.—As a Federal fleet had already descended the Mississippi to a point some distance above Vicksburg, Farragut determined to join it and thus complete the “clearing” of the river. Accordingly, after the capture of New Orleans, he sent up the river seven of his war vessels. When these reached Baton Rouge, that town, which was not fortified, quickly surrendered. Such, also, was the fate of Natchez; but Vicksburg refused to surrender. Farragut now arrived from New Orleans, and taking a number of his vessels, he ran past the batteries at Vicksburg to join the Union fleet above. As he went by, the guns on the heights of Vicksburg rained down shells upon his fleet, but though they killed fifteen of his men and wounded thirty, they did not succeed in stopping him. His guns answered those on the heights, but did no damage to the Confederates.

Thus Farragut had shown that he could pass the fortifications, though he had clearly seen that Vicksburg was too strong to be captured without the help of a land army. After

joining the upper fleet and remaining with it awhile, he returned to New Orleans. The river was falling rapidly and the malaria had attacked so many of his sailors that he was glad to escape from the unhealthy district around Vicksburg. Some powerful vessels, however, were left above Baton Rouge to watch a dangerous Confederate ram named the *Arkansas*. This ram was armed with ten guns and covered with railroad iron three inches thick; and when Farragut was above Vicksburg she had come down the Yazoo river, run the gauntlet of the whole Union fleet, and taken refuge under the batteries of the city.

The Confederates Attack Baton Rouge.—When Farragut retired, a strong Federal force under General Thomas Williams took possession of Baton Rouge. This was the Capital of Louisiana, and the Confederates determined to make a desperate attempt to drive away the Federals and recover the town. If Baton Rouge could be retaken, the Mississippi from that point to Vicksburg would be practically under the control of the South, and the Red river, from the banks of which all sorts of supplies could be brought for the support of the Southern army, would be open to Confederate steamboats. Accordingly a large force under General John C. Breckinridge, a brave Kentuckian, was sent down from Vicksburg to attack General Williams. As the Federal gunboats were still in the river, General Breckinridge ordered the ram *Arkansas* to drop down the Mississippi, clear the river, and join him at Baton Rouge. With the assistance of the ram on the water side, he hoped to make a successful attack upon the town. As soon as the *Arkansas* left Vicksburg, the telegraph announced the fact to Breckinridge, and he waited to hear her guns upon the river. But alas! the famous boat never reached Baton Rouge. Her engines, which had been badly constructed, were now out of order. As she descended the river every effort was made to repair them; the loud blows of hammers were distinctly heard from

the banks. Nothing, however, could be done, and when she reached a point a few miles above the town, there was a crash in the machinery, and the *Arkansas* lay almost helpless upon the Mississippi. Without the power to move quickly she was useless. And now the enemy began to draw near. What was to be done? The decision was prompt. Heading the vessel for the bank, the men jumped ashore, and her commander, Lieutenant Stevens, set her on fire and turned her adrift. It was a memorable scene. The Confederate flag still waved above her, and every gun was loaded. As the flames began to spread, her great guns pealed out, one after another, threatening destruction to the approaching enemy. Then when the fire reached her magazine there was a mighty report, and the fragments of the powerful Confederate iron-clad were hurled in every direction. Though no *Arkansas* came to his aid, Breckinridge bravely attacked the Federal troops in the town, and in his first assault carried everything before him. General Williams on the Union side was killed at the head of his men, and if Breckinridge had been supported from the river, the capture of Baton Rouge would have been complete. But in the face of the Federal gunboats, which were now rapidly firing, the Confederates could not hold their position, and Breckinridge was compelled to order a retreat. The attack was one of the boldest feats of the war, for the Federals were superior in numbers and were splendidly equipped, while Breckinridge's soldiers were, many of them, without coats, shoes, or socks. Already the greater wealth of the North was shown by the bountiful supplies that came for her soldiers; the poor Confederates often lacked the necessaries of life. The very table covers in New Orleans had been cut into coats for Southern soldiers shivering with cold upon the bleak hills of Virginia.

After the failure to take the Capital, the Confederates fortified Port Hudson, and the Union soldiers soon after gave up Baton Rouge and retired to New Orleans.

General Taylor in Southern Louisiana.—Some weeks after the attack on Baton Rouge there arrived at Opelousas one of the most gallant of the Confederate generals. This was General "Dick" Taylor, who had already distinguished himself in Virginia under Stonewall Jackson, and who was now



GENERAL RICHARD TAYLOR.

sent to take command of all the forces in Louisiana. He was a native of the State, and was a son of General Zachary Taylor, who, after his famous campaign in the Mexican war, had been elected President of the United States. Having inherited his father's skill in battle, General "Dick" proved himself a splendid officer.

As soon as he arrived, General Taylor, with great energy, undertook the raising of an army to defend the State against the ad-

vance of the Federals, and to keep open a road for the passage of supplies to the Confederate troops east of the Mississippi. The Governor of Louisiana, Thos. O. Moore, met him at Opelousas and turned over to him a few State troops. To these were soon added some companies from Texas. Great assistance was given by Ex-Governor Mouton, of Lafayette, who was very popular in that portion of the country, and who brought many of the Acadians under the Confederate flag.* Five companies of soldiers from St. Mary parish, under Colonel Fournet, took service, and thus Taylor's little army gradually increased. When he arrived there seemed to be no money and no troops; but he tells us that the brave Creoles of that portion of the State were devoted to the Confederacy, and gave him invaluable help. Very

* See Taylor's "Destruction and Reconstruction," a work to which we wish to acknowledge our great obligations for the account of the Louisiana campaign.

soon, also, Taylor was joined by General Alfred Mouton, a son of Governor Mouton. This general served with great gallantry till he met his death at Mansfield.

The Salt Mines.—About this time an important discovery was made on Avery's Island, near New Iberia, a discovery which may best be described in General Taylor's own words. "Salt wells had long been known to exist on Avery's Island, and some salt had been boiled there. The want of salt was severely felt in the Confederacy, our only considerable source of supply being in Southwestern Virginia, whence it was not easily obtained. Judge Avery, the owner of the island, began to boil salt for his neighbors, and desiring to increase the flow of brine by deepening the wells, came unexpectedly upon a bed of pure rock salt, which proved to be of immense extent. Intelligence of this reached me at New Iberia, and induced me to visit the island. Devoted to our cause, Judge Avery placed the mine at my disposal for the use of the Government. Many negroes were assembled to get out salt, and a packing establishment was organized at New Iberia to cure beef. During succeeding months large quantities of salt, salt beef, sugar, and molasses were transported by steamers to Vicksburg, Port Hudson, and other points east of the Mississippi. Two companies of infantry and a section of artillery were posted on the island to preserve order among the workmen, and to secure it against a sudden raid of the enemy, who later sent a gunboat up the Petite Anse to shell the mine, but the gunboat became entangled in the marsh, and accomplished nothing."

Since the war this salt mine has been found to be practically inexhaustible, and it will long continue to be a source of wealth to its owners. At the present day the mine is one of the most remarkable sights in Louisiana. Vast halls adorned with pillars have been cut out of the solid salt, and

when the whole is illuminated by artificial light, it resembles some enchanted subterranean palace.

QUESTIONS.

Tell about the "clearing" of the Mississippi. Tell about the ram *Arkansas*. Why did the Confederates attack Baton Rouge? Describe the attack. Tell about the hardships of the Southern soldiers. What general now took command of the forces in Louisiana? What troops did he muster? Tell about the discovery of the Avery salt mines.



CHAPTER XXXV.

THE WAR IN LOUISIANA—CONTINUED.

Fighting on Bayou Lafourche and the Teche.—General Taylor had not long to wait for the enemy. On the 27th of October, 1862, General Weitzel, with a large body of Federal troops, advanced from Donaldsonville towards Labadieville in Assumption parish. The Confederates, under General Mouton, were on both sides of Bayou Lafourche, and as there was no bridge, they could not combine against the enemy. At Labadieville, however, Colonel Armant, with about five hundred men and a battery, opposed the advance of Weitzel's army, which numbered four thousand. The contest was brief but sharp. Many were killed on both sides; but Armant, having used all his ammunition, was forced to retire. General Mouton then fell back with all his troops to Berwick Bay below Morgan City.

Finding here that Federal gunboats were preparing to come up from Atchafalaya Bay, he retreated along the Teche. Weitzel followed slowly, and there were a number of skirmishes. In one of these the Federal gunboats attacked the *Cotton*, a river steamer which the Confederates had

armed, and forced her commander, Captain Fuller, to burn her in the Teche. Weitzel seems now to have been content with his success, for he remained quiet during several months at Berwick Bay.

In the month of April, 1863, he was reinforced by large bodies of troops until the Federal army numbered 16,000 men. The officer in command was General N. P. Banks, who had succeeded General Butler in New Orleans. Though Taylor's entire force was only 3000 men, he felt that some effort must be made to resist the enemy, and he determined to throw up breastworks at Bisland, between Franklin and Morgan City. Here the Confederates made a magnificent stand for two days, but finding that a portion of the Federal army was trying to cut them off in the rear, they were forced to retreat. As the Confederates fell back, the Union army advanced northwards through Louisiana until it reached Alexandria on Red river, while General Taylor stationed himself at Natchitoches.*

Trans-Mississippi Department.—In March of this year (1863) Lieutenant-General E. Kirby Smith† had been sent by President Davis to take charge of the whole Trans-Mississippi department, which consisted of Missouri, Arkansas, Texas, Louisiana, and some of the Territories. Great powers were given to the new commander; he was to conduct the campaign as he thought best, and all the other generals west of the Mississippi, including General Taylor, were to obey his orders. His headquarters were at Shreveport on Red river.

Port Hudson and Vicksburg.—After remaining some weeks at Alexandria, General Banks retired from Louisiana, and crossing the Mississippi laid siege to Port Hudson,

* On the 20th of April Fort Butte à la Rose had fallen into the hands of the enemy. This little fort had been established on the Atchafalaya, not very far distant from St. Martinsville. With four guns and a garrison of only sixty men, it had bravely defended the Atchafalaya and driven off some of the enemy's gunboats; but it was finally captured by a superior force of Federals.

† After the war General Smith became a professor at Sewanee, Tenn., where he died in 1893.

which, as we have seen, was held by the Confederates. At this time Vicksburg, also, was undergoing the horrors of a siege. General Grant had shut up there the Confederate



LIEUT. GEN. E. KIRBY SMITH.
(Taken in 1893.)

army under General Pemberton, and with the assistance of a fleet, he was bombarding the city. If Vicksburg and Port Hudson fell, the Mississippi would be in the power of the Federals, and the prospects of Louisiana would be indeed gloomy.

Taylor at Berwick Bay.—

When the enemy retired across the Mississippi, General Taylor determined to return to Southern Louisiana and attack a body of Federals that had been left at

Berwick Bay. His expedition was planned with great skill and was entirely successful. The forces under General Thos. Green and General Mouton, who were then about one hundred miles apart, were ordered to meet at the Bay on the 23d of June. They arrived on time, and General Green planted a battery on the west side of the Bay. His object was to drive off a Federal gunboat, which had been left there to protect the camp of the enemy on the east bank. General Taylor then ordered Major Hunter with a body of Texas troops to await the opening of Green's guns, and then dash in upon the enemy from the rear. All this was well executed. Before the astonished Federals could arouse themselves, Green had charged with his Texans and captured the whole camp, with the exception of a few men who escaped on a railroad train. General Taylor describes the scene as one of great excitement and confusion. Seventeen hundred prisoners were taken, but three-fourths of them were wounded and convalescents left by

General Banks. These were cared for, and as many as possible were sent to New Orleans with their surgeons. The spoils found in the camp were immense. They consisted of twelve cannon, many small arms, and a great quantity of ammunition, provisions, and medicines. So much rich booty the poor Confederates had not seen for a long time, and during several months they lacked nothing that was necessary for their comfort.

Fall of Vicksburg and Port Hudson—Taylor's Retreat.—After this successful expedition, General Taylor marched over to the Mississippi, and placed a battery of twelve guns on the river, with the hope of cutting off the Federal communication between Port Hudson and New Orleans. In about a week, however, sad news reached him. On the 4th of July, 1863, Vicksburg had surrendered to General Grant. Five days later Port Hudson, finding further resistance useless, had capitulated to General Banks.* Thus at last the Mississippi was wholly in the power of the North; the Confederacy was split into two parts, which could no longer communicate with each other. As we shall see, however, General Taylor did not despair of holding Western Louisiana.

Having accomplished their object on the east bank of the river, the Federals under General Weitzel—six thousand strong—crossed over to Donaldsonville. Taylor, who had a force of only three thousand men, and who feared that the enemy might come down the Atchafalaya and cut him off, retired with his little army to Berwick Bay. This he crossed, carrying with him the rich plunder which he had captured. During the next few months there was lively skirmishing in the country between Opelousas and New Iberia. The only considerable engagement was at Bayou Bourbeau near Ope-

* The defence of Port Hudson by Louisiana troops under General Gardner, who was ably seconded by his chief of artillery, Col. Marshall J. Smith, was one of the most gallant that were made during the war.

lousas, where the Federals were defeated by General Green and six hundred prisoners taken.

Southern Losses in 1863.—During the rest of the year 1863, and the first months of 1864, there was no fighting of importance in Louisiana. But the year 1863 had been marked by great misfortunes for the Confederates. On the 1st of January President Lincoln had issued his famous Emancipation Proclamation, by which he declared all the slaves to be free. Many of them still remained faithful to their old masters; but some ran away from the South and enlisted in the Northern armies. Moreover, not only had Vicksburg fallen and the Mississippi passed into the hands of the Federals; but on the 3d of July, General Lee had been defeated at Gettysburg, Pennsylvania, with a loss of 21,000 men. This was a series of disasters from which the South could never entirely recover. Her means of carrying on the war were diminishing every day, while the North seemed to be as rich as ever. Still many brilliant victories were yet to be won by Southern leaders, especially by Lee in Virginia; and the war was to last nearly one and a half years longer.

QUESTIONS.

Tell something about the fighting around Bayou Lafourche. Where are Bayou Lafourche, the Teche, Berwick Bay? What power was given to General Kirby Smith? Who was in charge of the Union army? Tell about the siege of Vicksburg. Taylor at Berwick Bay. Fall of Vicksburg and Port Hudson. Tell about the Southern losses in 1863.

CHAPTER XXXVI.

THE CLOSE OF THE WAR.

Banks' Raid ; the Federals Attempt to Occupy Western Louisiana.—In the spring of the year 1864, the Federals seemed determined to crush all opposition in Louisiana. On the 12th of March seventeen gunboats under the command of Admiral Porter entered the mouth of Red river. This fleet protected 10,000 men under General A. J. Smith. The troops landed at Simmsport on the Atchafalaya, and marching forward the next day, reached De Russey, a little fort on the Red. As the fortifications here had not been completed, there could be no successful resistance, and the enemy seized the garrison and ten guns. Another Federal army of 18,000 men, under General Franklin, now marched up the Teche to join Smith at Alexandria. Thus the force that was intended to overwhelm Louisiana consisted of 28,000 men and a strong fleet of gunboats. The commander-in-chief of the expedition was General N. P. Banks, who had occupied Alexandria the year before. Besides his present army, Banks was informed that General Steele, with 7000 men, would march down from Arkansas and join him at Shreveport.

Taylor's Retreat to Pleasant Hill and Mansfield.—General Taylor had been warned of the arrival of this great force, and he had fallen back towards Pleasant Hill and Mansfield. General Kirby Smith, who had fortified himself at Shreveport, thought it unwise for Taylor to try to make a stand against so large an army. But Taylor determined to risk a battle as soon as he saw a good opportunity. His army had been reinforced, and he had under him some excellent soldiers, and several distinguished officers. The chief of these were General Mouton, General Thos. Green, and General Charles Polignac. The last was a French Prince, who

had come over to America to fight for the South. He had charge of a Texas Brigade, who did not at first like to be commanded by a Frenchman, but Polignac soon proved himself so brave and so skilful that his men regarded him with admiration and affection.

The Battle of Mansfield, April 8, 1864.—When Taylor had collected his troops at Pleasant Hill and Mansfield, he discovered that Banks was following him. Banks' army, however, was divided into large bodies, which were separated from one another by considerable distances. Taylor immediately decided to attack each body in turn, and thus try to rout the whole army. On the 8th of April he drew up his forces at Sabine Cross Roads, three miles in front of Mansfield. He had 8800 men—5000 horse, 500 artillerymen, and 3300 infantry. Of Banks' large army only 5000 were in sight, but more troops were rapidly coming up. When the advance columns of the enemy appeared, it was impossible to restrain the Louisiana troops, for they felt that they were defending their native soil. Rushing forward under General Mouton they carried everything before them. The other brigades were equally successful; but as the Louisianians approached the Federal lines, they had to meet a deadly fire from the enemy's artillery. One of the first to fall was the brave Mouton. It is said that he stopped to protect some Federal soldiers who had thrown down their arms and surrendered. While he sat upon his horse, waving to his men not to fire, some of the Federals picked up the guns they had thrown down and shot their protector through the breast. Not one of them, however, survived this act of treachery. Polignac quickly took Mouton's place, and the Confederates pressed on, routing each new body of Federal troops as it was met. The pursuit was stopped only by the darkness. "The fruits of the victory of Mansfield," says Taylor, "were twenty-five hundred prisoners, twenty pieces of artillery, several stands of

“colors, many thousands of small arms, and two hundred
“and fifty wagons.” It is estimated that Banks’ force engaged in this battle amounted to about 13,000 men.

Pleasant Hill, April 9.—To complete his victory by attacking Banks on the following morning was Taylor’s immediate decision. By that time, however, the enemy had taken a strong position at Pleasant Hill, and being reinforced by fresh troops, had in line about 18,000 men. Taylor, therefore, waited till he could be joined by General Churchill, who was coming up with several brigades composed of Arkansas and Missouri troops. With the addition of these, his army amounted to 12,500, but the new men were so wearied from a long march that the attack on the Federal lines could not be made before 3 o’clock in the afternoon. Churchill’s troops were ordered by Taylor to march around through some woods and “turn the enemy’s left.” Having passed through the woods, the Missouri troops charged with great bravery, but unfortunately they made a mistake in choosing the point of attack, and were finally forced to retreat. Polignac’s division, however, and General Green’s dismounted horsemen drove back the enemy on their front, and at nightfall the Confederates were in possession of the field. Under cover of the darkness the Federals retreated as fast as possible to Grand Ecore on Red river. Banks afterwards claimed a victory at Pleasant Hill, and declared that he retired because his army lacked water and provisions; but Admiral Porter, in his report, describes the whole expedition up the Red river as a complete failure. The Confederates, on their side, considered that they had won the day, and General Smith issued the following general orders:

“Shreveport, La., April 19, 1864: God has blessed our
“arms with signal victories at Mansfield and Pleasant Hill.
“The General commanding finds it an appropriate occasion
“to pay a well merited tribute to the endurance and valor

“ of the troops engaged in these battles. Collected from remote points—from Missouri, Arkansas, Louisiana, and Texas—after long and tedious marches, their combined courage has gained on the soil of Louisiana the patriot soldier’s highest reward, victory. * * * In the name of a grateful people I thank them for this splendid result. While we mourn for the glorious dead and sympathize with the heroic wounded, let us take courage for the future. * * * The names of Mansfield and Pleasant Hill will be inscribed on the colors of the regiments engaged in these battles. By command of General E. Kirby Smith.”

The Pursuit of Banks.—General Kirby Smith and General Taylor did not agree as to the best manner of conducting the campaign after the battle of Pleasant Hill. Taylor thought that Banks should be pursued with all the available forces, and every effort made to destroy his army. General Smith feared that General Steele with 7000 Federals would advance to attack Shreveport, and taking a portion of Taylor’s infantry, he set out to meet Steele. The latter retired into Arkansas, and as Smith pursued him, Taylor was left without sufficient force to do more than worry Banks on his retreat. Taylor thought that he had been badly treated by his commanding officer; but it was simply an honest difference of opinion as to what was the best course to pursue.

From Grand Ecore, Banks retired to Alexandria, destroying property as he went; while the Federal fleet, a part of which had ascended as high as Springfield Landing, about thirty miles below Shreveport, now dropped down the Red to cover Banks’ retreat. A small battery of four guns (the Federals maintain that there were eighteen) under Captain Cornay, a brave officer, had been placed by the Confederates near the junction of Cane river and Red river. It was supported by two hundred riflemen. As Porter’s fleet

reached this point the little battery opened fire upon his gunboats. One of them was cut to pieces, while the others suffered terribly. Captain Cornay, however, was killed, and Porter succeeded in passing. The battery's fire, Porter afterwards declared, was the heaviest he ever witnessed.

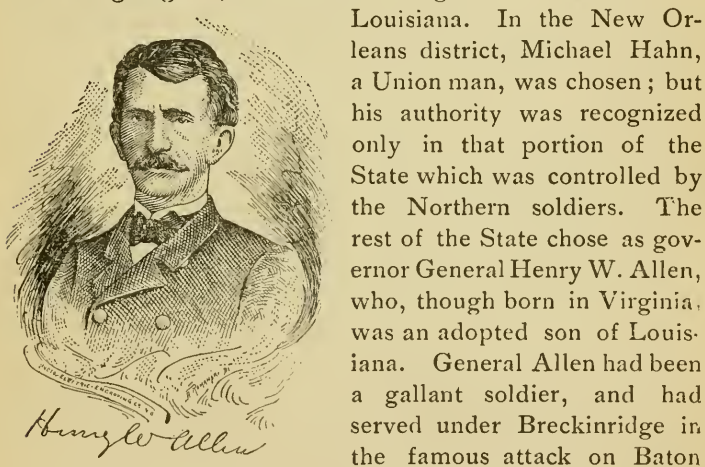
When the Federal fleet reached the Red River Falls, near Alexandria, it was discovered that the water was too low to allow the gunboats to pass. There was a depth of only three feet four inches, while the largest boats required about seven feet. At first it looked as if the fleet must fall into the hands of the Confederates. But finally an engineer, Colonel Joseph Bailey, proposed a plan by which a dam might be built across the river. The task was a very difficult one, for at this point the river is seven hundred and fifty-eight feet wide and the current is swift. For eight days, however, several thousand men worked day and night, and finally the dam was completed. But as a portion of it was carried away by the current, it became necessary to build an additional one above. By means of the two the depth of the water was increased sufficiently to allow all the vessels to pass over. This was a splendid piece of engineering work, the remains of which were still visible a few years ago. Colonel Bailey, who planned it, was raised to the rank of brigadier general, and received the thanks of the United States Congress. With the protection of the fleet, Banks now retreated to Simmsport. The Confederates, hanging upon his flanks, succeeded in cutting off many of his men; but on May 20th he crossed the Atchafalaya. Here, as the Mississippi was in the possession of the Federals, the Confederates had to give up the pursuit.

End of the War.—From this time on there was no more fighting in Louisiana. Nearly a year later General Robert E. Lee, the great Southern commander-in-chief, surrendered to General Grant in Virginia, and thus put an end to the war. The South had fought a noble fight, but it was

impossible for her to struggle any longer against the overwhelming numbers of the North.

By this terrible contest between the two sections, the question of secession was settled forever. Perhaps it could not have been settled in any other manner. At the present day the Southern people, while they still maintain that their interpretation of the Constitution was the true one, have accepted "the judgment of war," and are now firm in their loyalty to the Union.*

General H. W. Allen, Governor.—In 1864, while the war was going on, an election for governor was held in



Rouge. Here he was wounded so desperately that it was thought he must die. Thanks to a good doctor, however, he recovered. As governor he won the love and respect of all Louisianians. Shreveport became the capital of the State, and it was here that Allen resided. The State had been de-

*The Fourteenth Amendment to the Constitution of the United States, passed after the war (1868), declares: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." This amendment abolishes forever the constitutional right of secession. No "citizen of the United States" can take up arms against the General Government.

vastated by the armies that had occupied it so long; and at the close of the war the misery and want were such that, in many cases, the inhabitants of the parishes were on the point of starvation. Governor Allen nobly came to their relief. To raise money for the purchase of provisions was almost an impossibility; but, by his heroic exertions, it was accomplished. Not only was food sent wherever it was needed, but a great number of the poor were aided in their efforts to begin life anew. Other good deeds of the "War Governor" are held in grateful remembrance. When, however, peace was finally made, Governor Allen, whose health had been shattered by his wounds, retired to Mexico, where he died in 1866. His remains are buried in Baton Rouge.

QUESTIONS.

What was Banks' whole force? What was the difference of opinion between Taylor and Smith? Tell about the battle of Mansfield. How many soldiers fought on each side? Tell about the battle of Pleasant Hill? What was the result of Banks' Red river campaign? Describe the pursuit of Banks. How did Porter pass Red River Falls? How did the war end? Give an account of Governor Allen.

RESTORATION TO THE UNION.

CHAPTER XXXVII.

AFTER THE WAR.

Reconstruction.—Louisiana had suffered terribly during the war. Her rich fields had been laid waste, her sugar houses had been burned, and, saddest of all, thousands of her brave sons had perished on the battle field. When the survivors returned to their homes, they took up once more the duties of life with the hope of restoring their fortunes by courage and industry.* The war had served one good purpose; it had taught those who fought in it to bear misfortunes bravely. But alas! for the next twelve years Louisiana was destined to suffer almost as much as during the war itself.

In December, 1865, there was added to the Constitution of the United States the Thirteenth Amendment, which declared that slavery was forever abolished. But Congress, which was now largely composed of Republicans, was afraid that the freedmen might not obtain the right of suffrage in the South. It decided, therefore, that the Southern States should not send representatives to Congress and should not control their own governments until they had been "reconstructed." This meant that in these States strong military governments were to be established by the President, and that these were to frame new constitutions, guaranteeing to the freedmen the right to vote, and excluding from office all prominent Confederates.† As soon as the rights of the freedmen had been

* General Richard Taylor tells us that at the close of the war his plantation had been confiscated, and that his whole fortune consisted of two horses, one of which was lame and unfit for service.

†After "reconstruction" these Confederates were not admitted to Congress until they had been pardoned.

thus secured, the States were to be readmitted to the Union.

Political Adventurers.—In 1868, Louisiana having been duly “reconstructed,” was readmitted to the Union.* But this was not to be the end of her troubles. Crowds of Republican adventurers, who had hurried down from the North, got possession of the State Government. This was easy to do; for according to the new constitution, framed in 1868, the Southern Democrats who had taken a prominent part in the war were not allowed to vote, and the freedmen naturally thought that they must support the Republicans, who had abolished slavery. Hence, a bitter contest arose between the Democrats, who owned all the property in the State, and the political adventurers, who held all the offices. These latter were called in the South “carpet-bag” politicians, because it was said that they brought with them from the North nothing but their carpet-bags.

The new-comers soon began to seize the public money, large sums of which they put into their own pockets or spent in keeping themselves in office. All their actions were supported by a band of soldiers called the Metropolitan Police, and by United States troops, which had been sent by the President “to keep order in Louisiana.” Hence there followed a period of shameless corruption. In a few years the public debt of Louisiana was increased by the sum of \$40,000,000. Taxes became extremely high, and the people of the State, who had been much impoverished by the war, were now overwhelmed with debt. After a while, however, the Republicans began to quarrel among themselves. H. C. Warmoth, who had been elected governor in 1868, was impeached and suspended from office in 1872 by a hostile wing of his own party. For one month P. B. S. Pinchback acted

* Michael Hahn, who was elected governor in 1864, resigned in 1865, and was succeeded by another Union man, J. M. Wells. The “reconstruction” governors were B. F. Flanders and Joshua Baker. The former served from June, 1867, to January, 1868, and the latter from January, 1868, till July of the same year.

as governor. In 1873 he was succeeded by another Republican, Wm. P. Kellogg.

The White League.—The Louisianians soon saw that if they wished to enjoy their right of free government, they must take up arms against the oppressors. A great number of the most prominent men in various parts of the State, therefore, formed themselves into what was called the White League.† The object of this organization was to rescue the State from the “carpet-bag” government and restore it to the white Democrats. “Resistance to tyranny!” was the cry in all the parishes. At St. Martinsville the people rose and drove back an armed vessel called the “Ozark,” which the Republican governor, Wm. Pitt Kellogg, had sent to arrest the principal citizens of town because they refused to pay taxes for the support of his government. Finally, on the 14th of September, 1874—a day ever memorable in the annals of New Orleans—there was a battle between a detachment of the League and Kellogg’s Metropolitan Police. Some fire-arms for the League had been brought to the city by steamer, and Kellogg declared that they should not be delivered to their owners. The forces of the White League, under General Fred N. Ogden, marched to the foot of Canal street with the intention of taking possession of the arms. Here they were met by the Metropolitan Police under General Longstreet, and there was a sharp contest, in which forty men were killed and one hundred were wounded. The White League was victorious. The Metropolitan Police were scattered, and the pieces of artillery which they had placed upon the levee were turned against themselves.

When the battle was over, it was found that sixteen Leaguers lay dead or dying on the street.* With their

* On the 14th of September, 1891, a monument to the memory of these heroes was dedicated with appropriate ceremonies. It stands at the foot of Canal street, and bears the names of those who fell in defence of free government. These names should never be forgotten: B. zonier, Beiz, Brulard, Crossin, Considine, Feuillan, Gautier, Gourdain, Graval, Lindsey, Mohrman, Newman, Robbins, Toladano, Wells, and West.

† Outside of New Orleans, “The White Man’s Party.”

deaths, however, began a new era in Louisiana; for the people of the State felt that their cause had been sanctified by the blood of these brave citizens, and that they must never give up the struggle until they had won back the right to govern themselves

Kellogg's troops had been defeated; but he himself had taken refuge in the Custom House. While here he appealed to the President for help. His request was granted, and with the aid of United States troops he was once more installed as governor.*

F. T. Nicholls, Governor.—In 1876, however, a new election was held. The Democrats, by a majority of 8,000,



FRANCIS T. NICHOLLS.

carried the State for Francis T. Nicholls. Many of the colored people, preferring to live in peace with the white landowners, left the Republican party of their own free will, and voted with the Democrats. Kellogg's party, however, maintained that a majority of the votes had been cast for their candidate, a United States marshal named Packard, whom they hoped to keep in office by means of United States soldiers. Nich-

olls, who had been a brave soldier, now showed that he was a devoted patriot. With calm courage he declared that at all hazards he would guard the rights of his State. "I have been elected governor," he said, "and I intend to be governor." The Louisianians rallied around him, ready to defend him at the point of the bayonet.

* The Democrats had elected John McEnery governor, and D. B. Penn lieutenant-governor, but both were now forced to retire.

In January, 1877, therefore, two governors were inaugurated in Louisiana; Nicholls openly on the balcony of the court building that overlooks Lafayette Square, and Packard behind closed doors in the State House (now Hotel Royal). Here, guarded by Federal troops, Packard and his followers remained for several months, while the White League held all the courts for Nicholls.* Finally, in April, 1877, a committee sent down from Washington to investigate the strange condition of affairs in Louisiana, advised the President to withdraw the Federal troops. Without troops, Packard could do nothing, and his government immediately fell to pieces. The "carpet-baggers" soon after departed from Louisiana, and the State once more enjoyed a free government.

Such is a brief summary of the important events from the close of the war to the year 1877. It is a far more agreeable task to take up the subsequent history of Louisiana, and tell how the State drew herself out of the "slough of despond" and began again that career of wonderful prosperity which had been interrupted by the war.

QUESTIONS.

What was the Thirteenth Amendment? What was "reconstruction?" Tell about the "carpet-bag politicians," and the increase of the State debt. What was the White League? Tell about the "Ozark." Tell about the Fourteenth of September. Whom did the Democrats elect governor in 1876? Tell about the two governors. How did the contest end?

*The seizure of the Supreme Court on Jackson Square by Governor Nicholls' troops was one of the most exciting and important events that occurred during this period. It was on the 9th of January, a bitter cold day. At six o'clock in the morning the White League, well armed, gathered around the court, in which Packard had stationed a guard of Metropolitans. Cannon were placed at the head of neighboring streets; for it was expected that the Republicans would make a fierce resistance and that the United States troops would lend them aid. At the last moment, however, the courage of the Metropolitans failed them, and they decided to surrender. There being no actual conflict the United States troops refused to interfere. As Packard's judges had already left the building and sought places of safety, Nicholls' appointees took their seats. They were Judges Manning, Marr, Egan, Spencer, and DeBlanc, with Alfred Roman as clerk. The other courts having been surrendered soon after, the judicial business of the State was conducted wholly by the Nicholls government.

CHAPTER XXXVIII.

PROGRESS.

Nicholls and the New Constitution.—We have seen that, in 1868, under the Republican administration, a new constitution was framed for Louisiana; but it was clear that this constitution contained many unwise provisions, which must be corrected or removed. Accordingly the leading men of the State assembled in convention at New Orleans and drew up the constitution of 1879, which remained the organic law of the State for nineteen years.

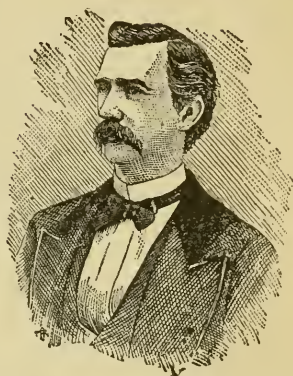
This constitution contained some important changes. In all previous constitutions (except in one framed in 1864, during the military rule of General Banks), there was a provision that the governor should not be elected for a second term until four years after the expiration of his first term. This provision was now abolished. Moreover, the courts of the State were remodeled on a novel plan, the chief feature of which was the establishment of courts of appeal, subject to the supervision of the Supreme Court. In general, we may say that this constitution made provision for the immense debt that had been contracted by the State; it provided for the usual system of public schools, though granting scanty funds for their support; and it confined within very narrow limits the powers of the legislature, so that the State might not be injured by unwise laws.

Louis A. Wiltz, Governor, 1880-81—S. D. McEnery, Governor, 1881-88.—Louis A. Wiltz, who had been elected governor under the new constitution, was inaugurated in January, 1880. One of the provisions of the constitution was that the seat of government should be removed from New Orleans to Baton Rouge. The old Capitol building in the latter city had been burned during the war, but immediate steps were now taken to rebuild it. Wiltz, who had been lieutenant-governor under Nicholls, and had won

an enviable reputation for himself as mayor of New Orleans in 1872-74, did not live through his term. At his death, in 1881, the lieutenant-governor, S. D. McEnery, succeeded him, and after serving the unexpired term, he was elected governor in 1884. Governor McEnery thus held the highest position in the gift of the people for seven years.

The Jetties.—Up to the year 1879 New Orleans lacked a good channel through the mouths of the Mississippi. Dredging machines had been used to remove

the sand bars that constantly formed in the passes, and at various times iron harrows had been dragged over the obstructions; but nothing permanent had been accomplished. Vessels containing a million dollars' worth of goods were



GOVERNOR LOUIS A. WILTZ.

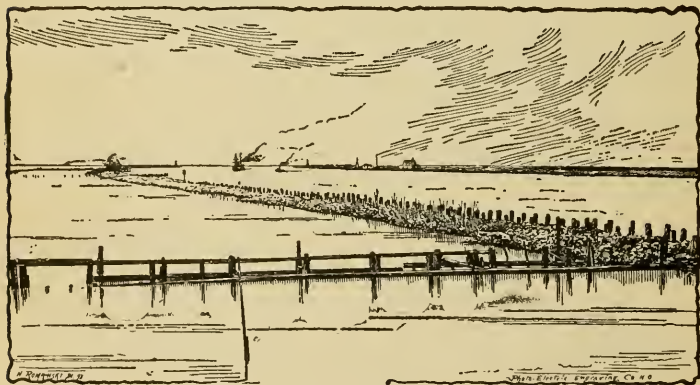
often aground on the bar for days, and the commerce of New Orleans was seriously injured. In 1874, however, Captain Jas. B. Eads, a distinguished engineer, proposed to try a plan that had been suggested by a French engineer soon after the founding of New Orleans. This was to build jetties, which, by confining the immense volume of water between them, would force the river to dredge itself. The



GOVERNOR S. D. M'ENERY.

United States Government thought favorably of this proposition, and made large appropriations for the work. Thus encouraged, Eads began his jetties in 1875 and finished them

in four years. They are built in what is called the South Pass, and consist of two long lines of willow "mattresses," ballasted with stone and held in place by piles. The east jetty is a little over two miles long, while the west one is about a mile and a half. The work was a perfect success; for a channel from twenty-six to thirty feet in depth was obtained where there had not been fifteen feet before; and large vessels can now come up to New Orleans without any detention. Up to the year 1881, nearly six millions of dollars had been spent on the jetties; and the success of the plan gained for Captain Eads the gratitude of Louisiana and a world-wide reputation.



THE JETTIES.

The Levees.—About the time the jetties were completed (1879), important progress was made in protecting Louisiana against the overflows and crevasses which every year seemed to become more destructive. In 1882, however, there came a great flood, which produced 284 crevasses. The extent of levee embankment swept away amounted in all to more than fifty-six miles. At first it seemed impossible to raise enough money to rebuild these levees, though it was clear that

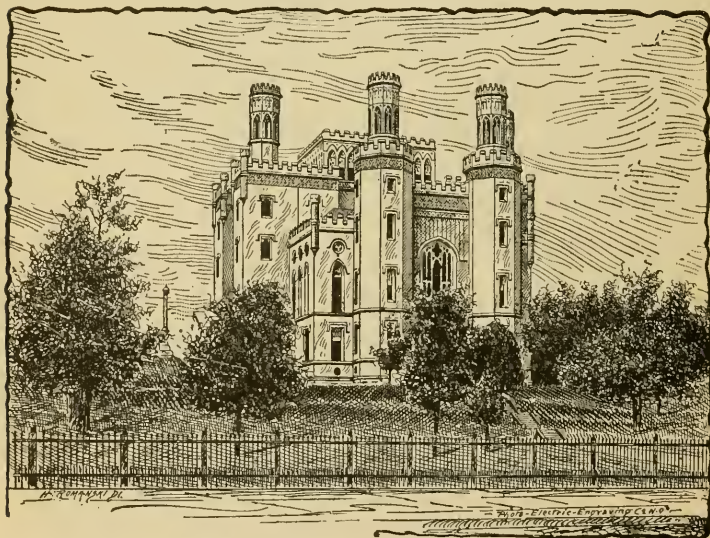
the prosperity of the State depended upon the protection of the rich plantations that lie along the banks of the rivers. In 1883, however, a levee convention was called in Baton Rouge ; great interest was aroused ; money was raised ; and levee building on a large scale was undertaken. Timely assistance, moreover, came from the United States Government, which had already begun to appreciate the fact that the care of the levees on the Mississippi is a matter of national importance. In meeting the terrible difficulties of this period, Governor McEnery showed such zeal and ability that he gained for himself the gratitude of the whole State.

This good work was continued on a larger scale than ever before during the second term of Governor Nicholls. From the time of the convention down to the year 1893, the sums spent upon the levees by the General Government and the State Boards amounted to many millions of dollars. The results of this wise policy were seen in the flood of 1890. In this year the water rose higher than in 1882 ; but the whole breakage in eleven hundred miles of levees was only four and one-quarter miles in extent.* Since then the United States Government has made an appropriation of ten million dollars for the Mississippi. With this sum and the amounts raised by the States most interested, it is promised by the engineers that the South shall have "a system of levees capable of controlling all floods in the Mississippi."

Maritime Sanitation.—In 1878 over four thousand persons died of yellow fever in Louisiana. Some years later, however, Dr. Joseph Holt, of New Orleans, established at the mouth of the Mississippi a system of disinfecting vessels which won for him a national reputation. Improvements were made by his successor, Dr. C. P. Wilkinson, and by Dr. S. R. Oliphant, until the quarantine station is now the best equipped in the world. After the establishment of this new system there was no yellow fever in Louisiana for eighteen

* "Memoirs of Louisiana."

years. At last it seemed that the State had been freed from the terrible scourge which had done so much to injure commerce and discourage immigration. When the disease reappeared in 1897, and in subsequent years, it assumed a milder form than ever before, and the rate of mortality was very low. Even during these years Louisiana was one of the healthiest States in the Union; for the mildness of the climate, and the out-door life which such a climate renders possible, preserve the inhabitants from many of the terrible diseases so common in the North.

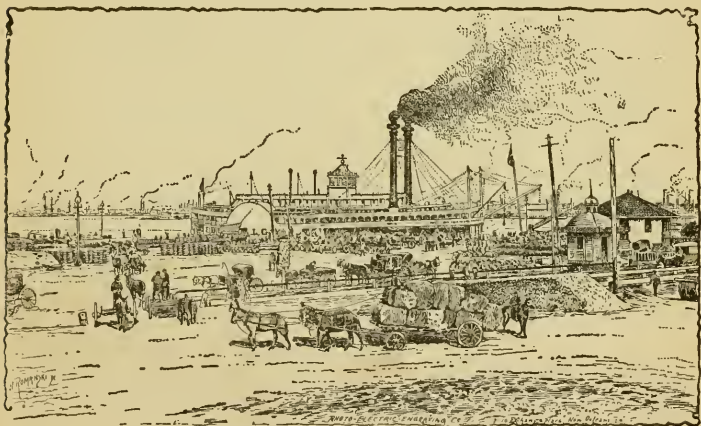


THE CAPITOL AT BATON ROUGE.

The Cotton Centennial Exposition.—In the year 1784 the earliest shipment of cotton was made from Charleston, S. C. It consisted of six bags (about one bale). To celebrate the one hundredth anniversary of this event, a great Centennial Exposition was opened in New Orleans during the year 1884. The largest exposition building the world

had ever seen was built, and thousands of visitors flocked to Louisiana from the North, the East, and the West. They saw the beauty of our Southern land and enjoyed the hospitality of our Southern people. The Exposition, if it accomplished nothing else, enabled the Northern and Southern people to know each other better, and removed much of the bitterness that had been handed down as a relic of the war.

The annual Carnival of New Orleans, probably the most splendid pageant ever seen in the world, has also played its part in drawing the two sections of the country more closely together.



THE LEVEE AT NEW ORLEANS.

Nicholls' Second Term as Governor. 1888-1892.—In 1888, Francis T. Nicholls was called once more to the governor's chair. His great services in asserting the rights of his State and standing firm during the troublous times of 1876-77, had greatly endeared him to the people of Louisiana, and they showed their appreciation of his sterling qualities by giving him a second term. During his administration a fierce contest arose over the renewal of the Louisiana Lottery charter. As the Lottery Company offered a large

annual sum to the State for this renewal, many people were in favor of granting it. But the Governor and some other prominent men declared themselves opposed to the continuance of lotteries, and a strong anti-lottery party sprung up. As both sides canvassed the State, there was a great deal of excitement. Finally, however the United States Government refused the Lottery Company the use of the mails; whereupon the managers of that corporation withdrew their offer.

Murphy J. Foster, Governor. 1892-1900.—Murphy J.



Foster "the man from St. Mary," who had been the anti-lottery candidate for governor, was soon after elected over three opponents. The lieutenant-governor chosen at the same time was Charles Parlange, of Pointe Coupée. Coming into office after this bitter contest, in which the passions of two parties were greatly excited, Governor Foster, by his personal mag-

netism and his wise administration, won the praise even of his political enemies.

Prosperity.—During the last sixteen years the prosperity of the State has been very remarkable. Now that there is deep water at the mouth of the Mississippi, thousands of vessels visit every year the docks of New Orleans, and bear away to all parts of the world not only sugar and cotton, the products of the South, but also great cargoes of grain sent down by the Western States.

Sugar and Cotton.—Improved methods have made great changes in the sugar industry. "A quarter of a century ago the yield of sugar was one pound from forty-five pounds of

“ cane ; at the present day in large factories the yield is one “ pound from nine pounds of cane.” Moreover, large central sugarhouses have been built, which buy the cane from the small planter and save him a great deal of expense. This economy in the manufacture, together with the protective tariff established by the United States Government, has given a new impulse to sugar planting.

The cotton crop of 1900-1901 was one of the greatest in the history of the South. It amounted to more than ten millions of bales. Of this crop Louisiana produced about 719,000 bales—more than her usual share.

Immigration from the West—Cultivation of Rice.—Within the last few years a thousand families of settlers from Iowa, Kansas, and other Western States have crowded into the parishes of Southwestern Louisiana. The changes that these worthy people have produced in this portion of the State are so remarkable that they seem to be the result of a magical transformation.

The chief settlements of the new-comers are in Calcasieu, and in parts of Vermillion and Cameron. At first they devoted themselves more particularly to grass-growing, fruit-raising, and the breeding of fine stock. In all these they were very successful on account of the new and improved methods which they introduced. Their greatest success, however, has been won in the cultivation of upland rice. This was first tried on a small scale, but the crop was made with so little expense, and was so profitable, that more lands were soon drained and more rice was planted, until an immense area is now under cultivation. In St. Charles, Plaquemines, and other river parishes, rice has been cultivated for a number of years. In 1880, however, the crop of the State was only 80,000 barrels ; while in 1900, with the addition of the new plantations in Southwestern Louisiana, it excelled all previous crops, reaching 2,000,000 barrels. Hence rice must now be placed among the great staple products of the

State. Formerly it was grown chiefly in the Atlantic States ; but Louisiana now yields far more than all these States together. As the quality of the Louisiana rice is very fine, and as the crop can be produced here at less expense than in any other State, the planters have a new source of wealth.

The settlers from the West, therefore, have introduced a wonderful spirit of activity and enterprise into Louisiana. The Acadians themselves, who have generally been slow in accepting improvements, are now imitating their Western brethren, and are trying new methods of agriculture. As a result the assessed value of property in this portion of Louisiana has been trebled during the last ten years. No wonder, then, that the Louisianians appreciate the importance of bringing good immigrants into their State.

Education and Literature.—Louisiana may well boast of her progress in education and literature. Every year her public school system is improving.* It is now clearly seen that the State can not depend upon private schools, however useful they may be ; a public system is the true method of preparing the youth of the land to become good citizens. In the higher education, also, there has been much progress. The Universities for white and colored in New Orleans, the University at Baton Rouge, the Normal School at Natchitoches, together with the numerous colleges scattered over the State, are offering better advantages than ever before. The young men of Louisiana no longer need to seek an education in Northern colleges or in foreign countries.

Finally, with peace and prosperity, there has sprung up in the South a new literature, and in the production of it Louisiana has played an important part. Brilliant writers in French and English are to be found within the State. Creole and American authors are successfully describing to the outside world the manners, the customs, and the scenery of our

* New Orleans owes a debt of gratitude to John McDonogh, who gave a large sum of money for the erection of handsome school buildings in the city.

Southern land. This new literature has excited great enthusiasm in the North, and we may predict that Louisiana will gain a high place for herself in the literary world. Her writers have an interesting field to explore, for no history is richer in romantic incidents than that of Louisiana.

With a glorious past to be proud of, and splendid opportunities before her, the Pelican State can not fail to win still greater fame for herself and greater happiness for her people.

QUESTIONS.

Tell about the constitution of 1879. What two governors served after Nicholls? To what city was the capital removed? Tell about the jetties. Tell about the levees. The quarantine system. What did the Exposition of 1884 celebrate? Influence of the New Orleans Carnival. Nicholls' second term and the lottery contest. Who succeeded Nicholls in 1892? Give some evidences of the prosperity of Louisiana. Tell about sugar. Cotton. Tell about the Western immigrants and the cultivation of rice. Education and literature in Louisiana.

Later Events.—In 1896, after a most successful term of office, Governor Foster succeeded himself as Governor. During his second administration the question of calling a constitutional convention was submitted to the people, and the Constitution of 1879 having proved most unsatisfactory, a large majority voted in favor of framing a new instrument of government. Accordingly, in 1898, the convention met in New Orleans, and after several months of deliberation it drew up and adopted, without submitting it to the people, the Constitution under which we are now living. It is given in full at the end of this volume.

This Constitution made important changes in regard to suffrage, the organization of the judiciary, and the support of the public schools. It is very generally regarded as a far better organic law than that of 1879.

In 1899, when Governor Foster's term was drawing to a

close, a distinguished citizen of Union parish, Hon. W. W. Heard, was nominated by the Democrats to succeed him. Elected by a majority of over 45,000 votes, Governor Heard served the State most acceptably for four years (1900-1904). In 1904, he was succeeded by Judge Newton C. Blanchard, of Caddo parish. Judge Blanchard's career has been one of which his friends may well be proud.



GOVERNOR HEARD.

Entering public life as a member of the Constitutional Convention of 1879, he has, since then, served thirteen years consecutively in the lower house of Congress, three years in the Senate of the United States, and seven years upon the Bench of the highest Court of the State. It will thus be seen that he has filled all the high offices in the gift of his State.

In December, 1903, the State of Louisiana, under the auspices of the Louisiana Historical Society, celebrated in a beautiful and imposing manner the Centennial of the Purchase of the Louisiana Territory. In 1904 the same great event was celebrated at St. Louis.



GOVERNOR BLANCHARD.

PHYSICAL FEATURES, POPULATION, AND RESOURCES.

The area of Louisiana is 45,420 square miles. The population in 1810 was 75,556; it was in 1900 1,381,625. The State is divided into fifty-nine parishes, the names of which are as follows:

Acadia, Ascension, Assumption, Avoyelles, Bienville, Bossier, Caddo, Calcasieu, Caldwell, Cameron, Catahoula, Claiborne, Concordia, De Soto, East Baton Rouge, East Carroll, East Feliciana, Franklin, Grant, Iberia, Iberville, Jackson, Jefferson, Lafayette, Lafourche, Lincoln, Livingston, Madison, Morehouse, Natchitoches, Orleans, Ouachita, Plaquemines, Pointe Coupée, Rapides, Red River, Richland, Sabine, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Tensas, Terrebonne, Union, Vermillion, Vernon, Washington, Webster, West Baton Rouge, West Carroll, West Feliciana, Winn.

The chief cities, with their population in 1900, are:

New Orleans, 287,104; Shreveport, 16,013; Baton Rouge, 11,269.

Rivers and Streams.—Besides the three great rivers, the Mississippi, the Red and the Ouachita, there are innumerable little lakes and over two hundred bayous; so that Louisiana doubtless has more water courses than any other State in the Union.

Soil and Products.—The geological features of Louisiana are very simple. The three formations found in the State are the *cretaceous or chalky*, the *tertiary*, and the *post-tertiary*.* It is said that the *chalky* formation underlies the whole State; it may be seen cropping out in the limestone hills of St. Landry and Winn. All the salt deposits are found in this formation. Above this comes the *tertiary*, which underlies the bluff lands; and on top of this is the *post-tertiary*, of which the rich, alluvial lands of the State are composed.

The following is the description which Prof. Lockett, formerly of the Louisiana State University, has given of the formation of these bluff and alluvial lands:

"It is likely," says he, "that a broad estuary or arm of the sea once

*This term in geology is applied to all the most recent formations.

extended as far inland as the junction of the Ohio and the Mississippi. Fine mud and silt, however, were washed into this estuary from the higher lands, and floating gently towards the sea, were deposited in a deep stratum, whose upper surface was a broad submerged plain. This stratum of silt completely filled up what we now call the Mississippi bottom, and the broad plain extended out to the hill-side slopes on the east and west to a distance of twenty miles from the limits of the present alluvial lands. But a great continental upheaval took place, and this plain was raised several hundred feet above its old-time level. The old Mississippi had then to wash out for itself a new channel to the sea, and having the easily dissolved silt to work upon, the mighty river swept much of its former bed into the gulf. In so doing it left those high bluffs on which Baton Rouge, Natchez, and Vicksburg now stand."

Products.—South of 31 deg. north latitude the State is well adapted to the production of sugar, cotton, and rice; but north of that line the great staple is cotton. Indian corn, also, is grown in considerable quantities. In the parishes of St. James and Natchitoches the light, sandy soil produces the famous strong tobacco called "perique." This tobacco is named for Pierre Chenet (nicknamed Pericho or Perriche), who first manufactured it. It is much sought after in Europe and America. In the southern part of the State, tropical fruits reach great perfection, especially oranges, bananas, and figs. The Louisiana oranges are superior in sweetness to those of Florida.

Animals.—Deer, wild-cats, panthers, and bears are found in Louis-



iana. The birds of the State, which are very numerous, have been made known to the world by the illustrious John James Audubon. Audubon was born on a Louisiana plantation in 1780. When he was young he showed his fondness for birds by keeping a number of them as pets. When he grew up he published the "Birds of America," a work that contained life-sized drawings made by himself. It was sold by subscription at one thousand dollars a copy, and made Audubon famous. He died in New York, and on

JOHN JAMES AUDUBON. He died in New York, and on the 26th of April, 1893, a beautiful monument to his memory was unveiled in that city.

Minerals.—One of the most important minerals in Louisiana is salt, which is found in various parts of the State, but chiefly, as we have seen, on Avery's Island. From this island the exports in one day frequently amount to 400 tons. Near Lake Charles there is a large deposit of sulphur and gypsum. The other mineral products of Louisiana are not important.

The Lands of Louisiana.—According to Prof. Lockett, there are eight kinds of land in the State: good uplands, pine hills, bluff lands, pine flats, prairies, alluvial lands, wooded swamps, and coast marsh.

Thus we see that Louisiana has a very diversified surface. Besides the rich plantations and the broad prairies for cattle raising, there are immense forests containing oak, cypress, pine, and many other valuable kinds of trees. According to the report of the Hon. T. W. Poole, Commissioner of Immigration, from which we draw many of the following details, the good uplands embrace chiefly the parishes of Sabine, De Soto, Caddo, Bossier, Red River, Bienville, Webster, Lincoln, Jackson, Union, and portions of Morehouse and Ouachita.

These, which are the northwestern parishes of the State, were settled principally by worthy people from Georgia, Alabama, and other Atlantic States. They have adopted various professions; but most of them are industrious and successful farmers, who have raised this portion of the State to a high degree of prosperity. Instead of large plantations, such as exist in Southern Louisiana, we find here a number of small farms, with numerous towns and villages.

The pine hills embrace chiefly the following parishes: Vernon, Grant, Winn, Catahoula, Rapides, St. Helena, Tangipahoa, Washington, and St. Tammany. The timber in these parishes is extremely valuable.

In the bluff lands are included parts of the following parishes: West Carroll, Richland, Franklin, Livingston, East and West Feliciana, and East Baton Rouge. The pine flats are found in the western portion of Calcasieu parish. They form an area of poor lands, generally covered with water.

The prairie lands are found in St. Landry, Lafayette, Acadia, St. Martin, Iberia, Vermillion, and St. Mary. "These seven parishes," says Col. Hillyard, "contain more than 3,000,000 acres of tillable land, most of it of inexhaustible fertility. Even most of the sea-marsh, and all of the swamp lands, may be reclaimed by local levees and draining machines, and may become the most productive rice and sugar lands of the State. On thousands of acres the grass grows on

a smooth surface under the waving branches of noble trees. The fat herds grazing upon these green prairies help in giving the finishing touch to this magnificent landscape scenery." Five of these parishes, St. Mary, Iberia, Vermillion, St. Martin, and Lafayette, once formed the Attakapas region, and they are still called the "Attakapas parishes."

Through this beautiful region runs the lovely Teche, which has been described in the "Evangeline" of Longfellow. For it was the Teche that the heroine of this poem ascended, seeking in vain for her husband Gabriel, from whom she had been separated in her native country. The following is Longfellow's description of the Attakapas region:

"Beautiful is the land with its prairies and forest and fruit trees;
Under the feet a garden of flowers, and the bluest of heavens
Bending above, and resting its dome on the walls of the forest.
They who dwell there have named it the 'Eden of Louisiana.'"

In this "Eden of Louisiana" still reside the descendants of the Acadian exiles. Until they began the cultivation of rice their manner of life had changed very little since they settled the country about the middle of the eighteenth century. They are industrious, prosperous, and many of them rich. When the day's work is done they delight to assemble and spend the evening in dancing and merry-making. They still weave the wonderful Attakapas cloth, so well known in Louisiana. Some of the most distinguished men in the State are descended from Acadian ancestors.

In St. Mary parish it is said that there is not an acre of poor land. The chief product is sugar, and the quantity produced is so great that St. Mary has won for herself the title of the "banner parish" of the State.

Alluvial Lands.—These lands are so-called from *alluvium*, which means "earth, sand, and gravel, transported by rivers, floods, and other causes, and deposited upon land not permanently submerged beneath the waters of lakes or seas." The alluvial lands constitute the plantations along the banks of all the streams in Louisiana. They are exceedingly rich, and form an area of about 12,300 square miles.

Wooded Swamps and Coast Marsh.—The last divisions of which we have to speak are the wooded swamps and coast marsh. These swamps, which were formerly very extensive, are now being redeemed by drainage. Many of them, when they are properly drained, and the trees are felled, will be classed as alluvial lands. The coast marsh

is valuable for game and for pasturage. A large quantity of it is owned by the State, and may be purchased for less than one dollar an acre.

The South-Eastern Parishes.—It has been impossible within our limits to give an account of all the parishes in the State; though the history of many of them is extremely interesting. A few words, however, may be added in regard to St. Bernard, Plaquemines, and Orleans. The first two produce large quantities of sugar, rice, and vegetables. They contain also the most important orange groves in the State. There is no more beautiful sight in Louisiana than the acres of orange trees along the banks of the Mississippi, from New Orleans to Ft. Jackson. These lands are extremely valuable. A one hundred acre grove, says Commissioner Poole, produced in 1890, a crop of oranges that sold for \$12,000. Of late years Cameron, in Southwestern Louisiana, has also become a great orange-raising parish.

The whole of the parish of Orleans is included within the limits of the city of New Orleans, so the city may be said to have an area of about 187 square miles, a larger area than that of any other city in the Union*. New Orleans is now a magnificent city, and is increasing every year in manufactures, in population, and in wealth. It has taken its position as one of the great commercial centres of the world.

QUESTIONS.

What is the area of Louisiana? Increase of population from 1810 to 1890? How many parishes are there? Chief cities and their population. Three great rivers. How many bayous? Give the main geological features of Louisiana. Tell about the formation of the "Mississippi bottom" and the origin of bluff lands. What are the chief products of Louisiana? Its minerals? What animals are found? Who was Audubon? Tell about Louisiana uplands. Pine hills. Bluff lands. Pine flats. Prairie lands. Tell about the Teche and the Attakapas region. What are the alluvial lands? Wooded swamps? Coast marsh? Where are the orange groves of Louisiana? What is the area of New Orleans?

* The actual area of the city is estimated at 37 square miles.



LIST OF STATE OFFICERS, 1905.

Governor, NEWTON C. BLANCHARD, of Caddo.

Lieutenant-Governor, JARED Y. SANDERS.

Secretary of State, JOHN T. MICHEL.

Auditor, PAUL CAPDEVIELLE.

Treasurer, J. M. SMITH.

Attorney-General, WALTER GUION.

Superintendent of Education, JAMES B. ASWELL.

JUDICIARY.

Supreme Court—Chief Justice, JOS. A. BREAUX; Associate Justices, O. O. PROVOSTY, FRANCIS T. NICHOLLS, FRANK A. MONROE, A. D. LAND.

GENERAL ASSEMBLY.

The number of Senators is 41. The number of Representatives is 115. The list of names can not be given here.

STATE BOARD OF EDUCATION.

This Board consists of the Governor, the Attorney-General and the Superintendent of Education, who are all *ex-officio* members, and of the following citizens, appointed by the Governor, one from each Congressional district: A. BRITTIN, of Orleans; JAMES H. DILLARD, Orleans; WALTER J. BURKE, Iberia; D. C. SCARBOROUGH, Natchitoches; E. L. KIDD, Lincoln; THOS. H. HARRIS, East Baton Rouge; THOS. H. LEWIS, St. Landry.

CONSTITUTION OF LOUISIANA.

PREAMBLE.

We, the people of the State of Louisiana, grateful to Almighty God for the civil, political and religious liberties we enjoy, and desiring to secure the continuance of these blessings, do ordain and establish this Constitution.

BILL OF RIGHTS.

Art. 1. All government, of right, originates with the people, is founded on their will alone, and is instituted solely for the good of the whole. Its only legitimate end is to secure justice to all, preserve peace and promote the interest and happiness of the people.

Art. 2. No person shall be deprived of life, liberty or property except by due process of law.

Art. 3. No law shall ever be passed to curtail or restrain the liberty of speech or of the press; any person may speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

Art. 4. Every person has the natural right to worship God, according to the dictates of his conscience, and no law shall be passed respecting an establishment of religion.

Art. 5. The people have the right peaceably to assemble and apply to those vested with the powers of government for a redress of grievances by petition or remonstrance.

Art. 6. All courts shall be open, and every person for injury done him in his rights, lands, goods, person or reputation shall have adequate remedy by due process of law and justice administered without denial, partiality or unreasonable delay.

Art. 7. The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated, and no warrant shall issue except upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Art. 8. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be abridged. This shall not prevent the passage of laws to punish those who carry weapons concealed.

Art. 9. In all criminal prosecutions the accused shall have the right to a speedy public trial by an impartial jury; provided, that cases in which the penalty is not necessarily imprisonment at hard

labor, or death, shall be tried by the court without a jury or by a jury less than twelve in number, as provided elsewhere in the Constitution; provided further, that all trials shall take place in the parish in which the offence was committed, unless the venue be changed. The accused, in every instance, shall have the right to be confronted with the witnesses against him; he shall have the right to defend himself, to have the assistance of counsel, to have compulsory process for obtaining witnesses in his favor. Prosecution shall be by indictment or information; but the Legislature may provide for the prosecution of misdemeanors on affidavit; provided, that no person shall be held to answer for a capital crime unless on a presentment or indictment by a grand jury, except in cases arising in the militia when in actual service in time of war or public danger; nor shall any person be twice put in jeopardy of life or liberty for the same offence, except on his own application for a new trial, or where there is a mistrial, or a motion in arrest of judgment is sustained.

Art. 10. In all criminal prosecutions the accused shall be informed of the nature and cause of the accusation against him; and when tried by jury shall have the right to challenge jurors peremptorily, the number of challenges to be fixed by law.

Art. 11. No person shall be compelled to give evidence against himself in a criminal case, or in any proceeding that may subject him to criminal prosecution, except as otherwise provided in this Constitution.

Art. 12. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted. All persons shall be bailable by sufficient sureties, unless for capital offences where the proof is evident or presumption great, or unless after conviction for any crime or offence punishable with death or imprisonment at hard labor.

Art. 13. The privilege of the writ of *habeas corpus* shall not be suspended, unless when, in case of rebellion or invasion, the public safety may require it.

Art. 14. The military shall be in subordination to the civil power.

Art. 15. This enumeration of rights shall not be construed to deny or impair other rights of the people not herein expressed.

DISTRIBUTION OF POWERS.

Art. 16. The powers of the government of the State of Louisiana shall be divided into three distinct departments, each of them to be confided to a separate body of magistracy, to-wit: Those which are legislative to one, those which are executive to another, and those which are judicial to another.

Art. 17. No one of these departments, nor any person or collection of persons holding office in one of them, shall exercise power properly belonging to either of the others, except in the instances hereinafter expressly directed or permitted.

LEGISLATIVE DEPARTMENT.

Apportionment.

Art. 18. Representation in the House of Representatives shall be equal and uniform and shall be based upon population. Each parish and each ward of the city of New Orleans shall have at least one representative. At its first regular session after the United States census of 1900, and after each census thereafter, the General Assembly shall, and it is hereby directed to apportion the representation among the several parishes and Representative Districts on the basis of the total population shown by such census. A representative number shall be fixed, and each parish and Representative District shall have as many Representatives as such representative number is contained in the total number of the inhabitants of such parish or Representative District and one additional Representative for every fraction exceeding one-half the representative number. The number of Representatives shall not be more than one hundred and sixteen nor less than ninety-eight.

Art. 19. The General Assembly, in every year in which it shall apportion representation in the House of Representatives, shall divide the State into Senatorial Districts. No parish shall be divided in the formation of a Senatorial District, the parish of Orleans excepted. Whenever a new parish is created it shall be attached to the Senatorial District from which most of its territory is taken, or to another contiguous district, at the discretion of the General Assembly, but shall not be attached to more than one district. The number of Senators shall not be more than forty-one nor less than thirty-six, and they shall be apportioned among the Senatorial Districts according to the total population contained in the several districts.

Art. 20. Until an enumeration shall have been made in accordance with Articles 18 and 19, the State shall be divided into the following Senatorial Districts, with the number of Senators hereinafter apportioned to each district:

The First Senatorial District shall be composed of the First and Second Wards of the parish of Orleans, and shall elect one Senator;

The Second Senatorial District shall be composed of the Third Ward of the parish of Orleans, and shall elect one Senator;

The Third Senatorial District shall be composed of the Fourth, Fifth, Sixth and Seventh Wards of the parish of Orleans, and shall elect two Senators;

The Fourth Senatorial District shall be composed of the Eighth and Ninth Wards, of the parish of Orleans, and of the parishes of St. Bernard and Plaquemines, and shall elect two Senators;

The Fifth Senatorial District shall be composed of the Tenth Ward, and shall elect one Senator;

The Sixth Senatorial District shall be composed of the Eleventh, Twelfth, Thirteenth and Fourteenth Wards, and shall elect two Senators;

The Seventh Senatorial District shall be composed of the Fifteenth, Sixteenth and Seventeenth Wards, and shall elect one Senator;

The Eighth Senatorial District shall be composed of the parishes of Jefferson, St. Charles and St. John the Baptist, and shall elect one Senator;

The Ninth Senatorial District shall be composed of the parishes of St. James and Ascension, and shall elect one Senator;

The Tenth Senatorial District shall be composed of the parishes of Terrebonne, Lafourche and Assumption, and shall elect two Senators;

The Eleventh Senatorial District shall be composed of the parishes of St. Mary and Vermilion, and shall elect one Senator;

The Twelfth Senatorial District shall be composed of the parishes of Cameron and Calcasieu, and shall (elect) one Senator;

The Thirteenth Senatorial District shall be composed of the parishes of St. Martin, Iberia and Lafayette, and shall elect two Senators;

The Fourteenth Senatorial District shall be composed of the parishes of St. Landry and Acadia, and shall elect two Senators;

The Fifteenth Senatorial District shall be composed of the parishes of Avoyelles and Pointe Coupee, and shall elect one Senator;

The Sixteenth Senatorial District shall be composed of the parishes of Iberville and West Baton Rouge, and shall elect one Senator;

The Seventeenth Senatorial District shall be composed of the parishes of East and West Feliciana, and shall (elect) one Senator;

The Eighteenth Senatorial District shall be composed of the parish of East Baton Rouge, and shall elect one Senator;

The Nineteenth Senatorial District shall be composed of the parishes of St. Helena, Livingston, Tangipahoa, Washington and St. Tammany, and shall elect two Senators;

The Twentieth Senatorial District shall be composed of the parishes of Rapides and Vernon, and shall elect one Senator.

The Twenty-first Senatorial District shall be composed of the parishes of Natchitoches, Sabine, De Soto and Red River, and shall elect two Senators.

The Twenty-second Senatorial District shall be composed of the parish of Caddo, and shall elect one Senator.

The Twenty-third Senatorial District shall be composed of the parishes of Webster and Bossier, and shall elect one Senator.

The Twenty-fourth Senatorial District shall be composed of the parishes of Bienville and Claiborne, and shall elect one Senator.

The Twenty-fifth Senatorial District shall be composed of the parishes of Union, Lincoln, Morehouse and West Carroll, and shall elect two Senators.

The Twenty-sixth Senatorial District shall be composed of the parishes of Ouachita and Jackson, and shall elect one Senator.

The Twenty-seventh Senatorial District shall be composed of the parishes of Winn, Caldwell and Grant, and shall elect one Senator.

The Twenty-eighth Senatorial District shall be composed of the parishes of East Carroll and Madison, and shall elect one Senator.

The Twenty-ninth Senatorial District shall be composed of the parishes of Tensas and Concordia, and shall elect one Senator.

The Thirtieth Senatorial District shall be composed of the parishes of Richland, Franklin and Catahoula, and shall be entitled to one Senator.

Thirty-nine (39) Senators in all.

And the Representatives shall be apportioned among the parishes and Representative districts, as follows:

For the parish of Orleans—

First Representative District, First Ward, one Representative.

Second Representative District, Second Ward, two Representatives.

Third Representative District, Third Ward, three Representatives.

Fourth Representative District, Fourth Ward, one Representative.

Fifth Representative District, Fifth Ward, two Representatives.

Sixth Representative District, Sixth Ward, one Representative.

Seventh Representative District, Seventh Ward, two Representatives.

Eighth Representative District, Eighth Ward, one Representative.

Ninth Representative District, Ninth Ward, two Representatives.

Tenth Representative District, Tenth Ward, two Representatives.

Eleventh Representative District, Eleventh Ward, two Representatives.

Twelfth Representative District, Twelfth Ward, one Representative.

Thirteenth Representative District, Thirteenth Ward, one Representative.

Fourteenth Representative District, Fourteenth Ward, one Representative.

Fifteenth Representative District, Fifteenth Ward, one Representative.

Sixteenth Representative District, Sixteenth Ward, one Representative.

Seventeenth Representative District, Seventeenth Ward, one Representative;

The Parishes of Acadia, West Baton Rouge, Bienville, Caldwell, Cameron, East Carroll, West Carroll, Catahoula, Franklin, Grant, Jackson, Jefferson, Lincoln, Livingston, Plaquemines, Red River, Richland, Sabine, St. Bernard, St. Charles, St. Helena, St. John the Baptist, St. Tammany, Tangipahoa, Vermilion, Vernon, Washington, Webster and Winn, each, one Representative;

The Parishes of Ascension, Assumption, Avoyelles, East Baton Rouge, Bossier, Calcasieu, Claiborne, Concordia, De Soto, East Feliciana, West Feliciana, Iberia, Iberville, Lafourche, Lafayette, Madison, Morehouse, Natchitoches, Pointe Coupee, Ouachita, Rapides, St. James, St. Mary, St. Martin, Tensas, Terrebonne, Union, each, two Representatives;

The Parishes of Caddo and St. Landry, each, three Representatives.

This apportionment of Senators and Representatives shall not be changed or altered in any manner until after the enumeration shall have been taken by the United States. After the year 1902 the apportionment made in this article shall cease to exist.

General Assembly.

Art. 21. The legislative power of the State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

Art. 22. The style of the laws of this State shall be: "Be it enacted by the General Assembly of the State of Louisiana."

Art. 23. The General Assembly shall meet at the seat of government on the third Monday of May, 1898, at 12 o'clock noon, and biennially thereafter, on the second Monday of May, and the sessions thereof shall be limited to sixty days. Should a vacancy occur in either House, the Governor shall order an election to fill such vacancy for the remainder of the term.

Art. 24. Every elector under this Constitution shall be eligible to a seat in the House of Representatives, and every elector who has reached the age of twenty-five years shall be eligible to the Senate; provided, that no person shall be eligible to the General Assembly unless at the time of his election he has been a citizen of the State for five years, and an actual resident of the district or parish from which he may be elected for two years immediately preceding his election. The seat of any member who may change his residence from the district or parish which he represents shall thereby be vacated, any declaration of a retention of domicile to the contrary notwithstanding; and members of the General Assembly shall be elected for a term of four years.

Art. 25. Each House shall be the judge of the qualifications, elections and returns of its own members, choose its own officers, except President of the Senate, determine the rules of its proceedings, and may punish its members for disorderly conduct and contempt, and, with the concurrence of two-thirds of all its members elected, expel a member.

Art. 26. Either House, during the session, may punish by imprisonment any person not a member who shall have been guilty of disrespect, or disorderly or contemptuous behavior; but such imprisonment shall not exceed ten days for each offence.

Art. 27. No Senator or Representative shall, during the term for which he was elected, nor for one year thereafter, be appointed or elected to any civil office of profit under this State which may have been created, or the emoluments of which may have been increased by the General Assembly during the time such Senator or Representative was a member thereof.

Art. 28. The members of the General Assembly shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the sessions of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House they shall not be questioned in any other place.

Art. 29. The members of the General Assembly shall receive a compensation not to exceed five dollars per day during their attendance, and five cents per mile going to and returning from the seat of government.

Art. 30. Each House shall keep a Journal of its proceedings, and cause the same to be published immediately after the close of the session; when practicable, the minutes of each day's session shall be printed and placed in the hands of members on the day following. The original Journal shall be preserved, after publication, in the office of the Secretary of State, but there shall be required no other record thereof.

Art. 31. Every law enacted by the General Assembly shall embrace but one object, and that shall be expressed in its title.

Art. 32. No law shall be revived, or amended by reference to its title, but in such cases the act revived, or section as amended, shall be re-enacted and published at length.

Art. 33. The General Assembly shall never adopt any system or code of laws by general reference to such system or code of laws; but in all cases shall recite at length the several provisions of the laws it may enact.

Art. 34. Not less than a majority of the members of each House of the General Assembly shall form a quorum to transact business, but a smaller number may adjourn from day to day, and shall have power to compel the attendance of absent members.

Art. 35. Neither House, during the sitting of the General Assembly, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which it may be sitting.

Art. 36. The yeas and nays on any question in either House shall, at the desire of one-fifth of the members elected, be entered on the Journal.

Art. 37. All bills, for raising revenue or appropriating money, shall originate in the House of Representatives, but the Senate may propose or concur in amendments, as in other bills.

Art. 38. No bill, ordinance or resolution, intended to have the effect of a law, which shall [have] been rejected by either House, shall be again proposed in the same House during the same session, under the same or any other title, without the consent of a majority of the House by which the same was rejected.

Art. 39. Every bill shall be read on three different days in each House, and no bill shall be considered for final passage unless it has been read once in full, and the same has been reported on by a committee; nor shall any bill become a law unless, on its final passage, the vote be taken by yeas and nays, the names of the members voting for or against the same be entered on the Journal, and a majority of the members elected to each House be recorded thereon as voting in its favor; provided, that bills revising the statutes or codes of this State, or adopting a criminal code as a whole, shall be read in such manner as may be prescribed by the General Assembly.

Art. 40. No amendment to bills by one House shall be concurred in by the other, nor shall reports of committees of conference be adopted in either House except by a majority of the members elected thereto, the vote to be taken by yeas and nays, and the names of those voting for or against recorded upon the Journal.

Art 41. Whenever a bill that has been passed by both Houses

has been enrolled and placed in possession of the House in which it originated, the title shall be read, and, at the request of any five members, the bill shall be read in full, when the Speaker of the House of Representatives or the President of the Senate, as the case may be, shall at once sign it in open house, and the fact of signing shall be noted on the Journal; thereupon the Clerk or Secretary shall immediately convey the bill to the other House, whose presiding officer shall cause a suspension of all other business to read and sign the bill in open session and without delay. As soon as bills are signed by the Speaker of the House and President of the Senate, they shall be taken at once, and on the same day, to the Governor by the Clerk of the House of Representatives or Secretary of the Senate.

Art. 42. No law passed by the General Assembly, except the general appropriation act, or act appropriating money for the expenses of the General Assembly, shall take effect until promulgated. Laws shall be considered promulgated at the place where the State Journal is published, the day after the publication of such law in the State Journal, and in all other parts of the State twenty days after such publication. The State Journal shall be published at the capital.

Art. 43. The clerical officers of the two Houses shall be a Secretary of the Senate and Clerk of the House of Representatives, with such assistants as may be necessary; but the expenses of said officials, including the Sergeant-at-Arms, of each House, together with all Clerks of Committees and all other employes of whatever kind, shall not exceed one hundred dollars daily for the Senate, nor one hundred and twenty dollars daily for the House, and the Chairman of the Committee on Contingent Expenses of each House shall not issue warrants for any compensation in excess of said amounts; provided, this shall not affect the employes of the present General Assembly. No donation of any unexpended balances shall be made as extra compensation or for any other purpose.

Art. 44. All stationery, printing, paper and fuel used in the legislative and other departments of government shall be furnished, and the printing, binding and distribution of the Laws, journals and the department reports, and all other printing and binding, and the repairing and furnishing of the halls and rooms used for the meetings of the General Assembly and its committees, shall be done under contract, to be given to the lowest responsible bidder below such maximum price under such regulations as shall be prescribed by law.

No member or officer of any of the departments of the government shall be in any way interested in the contracts; and all such contracts shall be subject to the approval of the Governor, the President of the Senate and Speaker of the House of Representatives, or of any two of them.

Limitation of Legislative Powers.

Art. 45. No money shall be drawn from the treasury except in pursuance of specific appropriation made by law; nor shall any appropriation of money be made for a longer term than two years.

A regular statement and account of receipts and expenditures of all public moneys shall be published every three months, in such manner as shall be prescribed by law.

Art. 46. The General Assembly shall have no power to contract, or to authorize the contracting of any debt or liability, on behalf of the State; or to issue bonds or other evidence of indebtedness thereof, except for the purpose of repelling invasion, or for the suppression of insurrection.

Art. 47. The General Assembly shall have no power to grant or to authorize any parish or municipal authority to grant any extra compensation, fee or allowance to a public officer, agent, servant or contractor, nor pay, nor authorize the payment, of any claim against the State, or any parish or municipality thereof, under any agreement or contract made without express authority of law; and all such unauthorized agreements or contracts shall be null and void.

Art. 48. The General Assembly shall not pass any local or special law on the following specified subjects:

For the opening and conducting of elections, or fixing or changing the place of voting.

Changing the names of persons.

Changing the venue in civil or criminal cases.

Authorizing the laying out, opening, closing, altering or maintaining roads, highways, streets or alleys, or relating to ferries and bridges, or incorporating bridge or ferry companies, except for the erection of bridges crossing streams which form boundaries between this and any other State.

Authorizing the adoption or legitimation of children or the emancipation of minors.

Granting divorces.

Changing the law of descent or succession.

Affecting the estates of minors or persons under disabilities.

Remitting fines, penalties and forfeitures, or refunding moneys legally paid into the treasury.

Authorizing the constructing of street passenger railroads in any incorporated town or city.

Regulating labor, trade, manufacturing or agriculture.

Creating corporations, or amending, renewing, extending or explaining the charters thereof; provided, this shall not apply to municipal corporations having a population of not less than twenty-five hundred inhabitants, or to the organization of levee districts and parishes.

Granting to any corporation, association, or individual any special or exclusive right, privilege or immunity.

Extending the time for the assessment or collection of taxes, or for the relief of any assessor or collector of taxes from the performance of his official duties, or of his sureties from liability; nor shall any such law or ordinance be passed by any political corporation of this State.

Regulating the practice or jurisdiction of any court, or changing the rules of evidence in any judicial proceeding or inquiry before courts, or providing or changing methods for the collection of debts

or the enforcement of judgments, or prescribing the effects of judicial sales.

Exempting property from taxation.

Fixing the rate of interest.

Concerning any civil or criminal actions.

Giving effect to informal or invalid wills or deeds, or to any illegal disposition of property.

Regulating the management of public schools, the building or repairing of schoolhouses, and the raising of money for such purposes.

Legalizing the unauthorized or invalid acts of any officer, servant, or agent of the State, or of any parish or municipality thereof.

Art. 49. The General Assembly shall not indirectly enact special or local laws by the partial repeal of a general law; but laws repealing local or special laws may be passed.

Art. 50. No local or special law shall be passed on any subject not enumerated in Article 48 of this Constitution, unless notice of the intention to apply therefor shall have been published, without cost to the State, in the locality where the matter or thing to be affected may be situated, which notice shall state the substance of the contemplated law, and shall be published at least thirty days prior to the introduction into the General Assembly of such bill, and in the same manner provided by law for the advertisement of judicial sales. The evidence of such notice having been published, shall be exhibited in the General Assembly before such act shall be passed, and every such act shall contain a recital that such notice has been given.

Art. 51. No law shall be passed fixing the price of manual labor.

Art. 52. Any member of the General Assembly who has a personal or private interest in any measure or bill proposed, or pending before the General Assembly, shall disclose the fact to the house of which he is a member, and shall not vote thereon.

Art. 53. No money shall ever be taken from the public treasury, directly or indirectly, in aid of any church, sect or denomination of religion, or in aid of any priest, preacher, minister or teacher thereof, as such, and no preference shall ever be given to, nor any discrimination made against any church, sect or creed of religion, or any form of religious faith or worship; nor shall any appropriation be made for private, charitable or benevolent purposes to any person or community; provided, this shall not apply to the State Asylum for the Insane and State Institution for the Deaf and Dumb, and State Institution for the Instruction of the Blind, and the charity hospitals and public charitable institutions conducted under State authority.

Art. 54. The General Assembly shall have no power to increase the expenses of any office by appointing assistant officials.

Art. 55. The general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the government, interest on the public debt, public schools and public charities; and such bill shall be so itemized as to show for what account each and every appropriation shall be made. All other appropriations shall be made by separate bills, each embracing but one object.

Art. 56. Each appropriation shall be for a specific purpose, and no appropriation shall be made under the head or title of contingent; nor shall any officer or department of government receive any amount from the treasury for contingencies or for a contingent fund.

Art. 57. No appropriation of money shall be made by the General Assembly in the last five days of the session thereof. All appropriations, to be valid, shall be passed and receive the signatures of the President of the Senate and Speaker of the House of Representatives five full days before the adjournment *sine die* of the General Assembly.

Art. 58. The funds, credit, property or things of value of the State, or of any political corporation thereof, shall not be loaned, pledged or granted to or for any person or persons, association or corporation, public or private; nor shall the State, or any political corporation, purchase or subscribe to the capital or stock of any corporation or association whatever, or for any private enterprise. Nor shall the State, nor any political corporation thereof, assume the liabilities of any political, municipal, parochial, private or other corporation or association whatsoever; nor shall the State undertake to carry on the business of any such corporation or association, or become a part owner therein; provided, the State, through the General Assembly, shall have power to grant the right of way through its public lands to any railroad or canal; and, provided, Police Juries and municipal corporations may, in providing for destitute persons, utilize any charitable institutions within their corporate limits for the care, maintenance and asylum of such persons; and all appropriations made to such institutions for the purpose aforesaid shall be accounted for by them in the manner required of officials entrusted with public funds.

Art. 59. The General Assembly shall have no power to release or extinguish, or to authorize the releasing or extinguishment, in whole or in part, of the indebtedness, liability or obligation of any corporation or individual to the State, or to any parish or municipal corporation thereof; provided, the heirs to confiscated property may be released from all taxes due thereon at the date of its reversion to them.

Art. 60. No educational or charitable institution, other than the State institutions now existing, or expressly provided for in this Constitution, shall be established by the State, except upon a vote of two-thirds of the members elected to each House of the General Assembly.

EXECUTIVE DEPARTMENT.

Art. 61. The Executive Department shall consist of a Governor, Lieutenant Governor, Auditor, Treasurer and Secretary of State.

Art. 62. The supreme executive power of the State shall be vested in a chief magistrate, who shall be styled the Governor of Louisiana. He shall hold his office during four years, and, together with the Lieutenant Governor, chosen for the same term, shall be elected as

follows: The qualified electors for Representatives shall vote for a Governor and Lieutenant Governor at the time and place of voting for Representatives. The return of every election for Governor and Lieutenant Governor shall be made and sealed up separately from the return of election of other officers, and transmitted by the proper officer of every parish to the Secretary of State, who shall deliver them, unopened, to the General Assembly then next to be holden. The members of the General Assembly shall meet on the first Thursday after the day on which they assemble, in the House of Representatives, to examine, tabulate and count the votes evidenced by said returns. The person having the greatest number of votes for Governor shall be declared duly elected; but in case two or more persons shall be equal and highest in the number of votes polled for Governor, one of them shall be immediately chosen Governor by the joint vote of the members of the General Assembly. The person having the greatest number of votes for Lieutenant Governor shall be declared duly elected Lieutenant Governor; but in case two or more persons shall be equal and highest in the number of votes polled for Lieutenant Governor, one of them shall be immediately chosen Lieutenant Governor by the joint vote of the members of the General Assembly.

Art. 63. No person shall be eligible to the office of Governor, or Lieutenant Governor, who shall not have attained the age of thirty years, been ten years a citizen of the United States, and resident of the State for the same period of time next preceding his election; or who shall hold office under the United States at the time of or within six months immediately preceding the election for such office; nor shall any person who shall have been elected, qualified and served as Governor under this Constitution be eligible as his own successor; provided, however, that he may again be eligible to the office at the expiration of one or more terms after the term for which he shall have served.

Art. 64. The Governor and Lieutenant Governor shall enter on the discharge of their duties the first Monday next ensuing the announcement by the General Assembly of the result of the election for Governor and Lieutenant Governor; and each shall continue in office until the first Monday next succeeding the day that his successor shall have been declared duly elected, and shall have taken the oath, or affirmation, required by the Constitution.

Art. 65. In case of the impeachment of the Governor, his removal from office, death, refusal or inability to qualify, disability, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant Governor for the residue of the term, or until the Governor, absent or impeached, shall return or be acquitted or the disability be removed. In the event of the removal, impeachment, death, resignation, disability or refusal to qualify, of both the Governor and the Lieutenant Governor, the President *pro tempore* of the Senate shall act as Governor until the disability be removed, or for the residue of the term. If there should be no President *pro tempore* of the Senate, when any of the above mentioned contingencies arise for him to act as Governor, or in the event of

the removal, death, resignation, permanent disability, or refusal to qualify, of the President *pro tempore*, the Secretary of State shall act as Governor until a President *pro tempore* be elected, either in regular session, or in specially called session, should the vacancy have occurred during recess; and in the event of the impeachment, or temporary disability, of the President *pro tempore*, acting Governor, the Secretary of State shall likewise act as Governor until the disability be removed, or the impeachment proceedings be terminated in acquittal, or until another President *pro tempore* of the Senate be chosen.

Art. 66. The Lieutenant Governor, or President *pro tempore*, or Secretary of State, discharging the duties of the Governor, shall, during his administration, receive the same compensation to which the Governor would have been entitled had he continued in office.

Art. 67. The Lieutenant Governor shall be *ex-officio* President of the Senate, but shall only have a casting vote therein. The Senate shall elect one of its members as President *pro tempore* of the Senate.

Art. 68. The Lieutenant Governor shall receive for his services a salary of fifteen hundred dollars, payable monthly on his own warrant. In the event of a vacancy in the office of Lieutenant Governor by death, resignation, or any other cause, the President *pro tempore* of the Senate shall fill the office of Lieutenant Governor, performing all the duties incident to the office, and receiving its emoluments.

Art. 69. The Governor shall have power to grant reprieves for all offenses against the State; and, except in cases of impeachment, or treason, shall, upon the recommendation in writing of the Lieutenant Governor, Attorney-General, and presiding Judge of the court before which the conviction was had, or of any two of them, have power in his discretion to grant pardons, commute sentences and remit fines and forfeitures, after conviction. In case of treason he may grant reprieves until the end of the next session of the General Assembly, in which body the power of pardoning is vested.

Art. 70. The Governor shall receive a salary of five thousand dollars *per annum*, payable monthly, on his own warrant.

Art. 71. He shall nominate and, by and with the advice and consent of the Senate, appoint all officers whose offices are established by this Constitution and whose appointments, or elections, are not herein otherwise provided for; provided, however, that the General Assembly shall have the right to prescribe the mode of appointment or election to all offices created by it.

Art. 72. The Governor shall have the power to fill vacancies that may happen during the recess of the Senate, in cases not otherwise provided for in this Constitution, by granting commissions which shall expire at the end of the next session; but no person who has been nominated for office and rejected shall be appointed to the same office during the recess of the Senate. The failure of the Governor to send into the Senate the name of any person appointed for office, as herein provided, shall be equivalent to a rejection.

Art. 73. He may require information in writing from the officers in the executive departments upon any subject relating to the duties of their respective offices. He shall be Commander-in-Chief of the

militia of the State, except, when they shall be called into the actual service of the United States.

Art. 74. He shall, from time to time, give to the General Assembly information respecting the situation of the State, and recommend to its consideration such measures as he may deem expedient.

Art. 75. He shall take care that the laws be faithfully executed, and he may, on extraordinary occasions, convene the General Assembly at the seat of government, or, if that should have become dangerous from an enemy or from an epidemic, at a different place. The power to legislate shall be limited to the objects specially enumerated in the proclamation convening such extraordinary session; therein the Governor shall also limit the time such session may continue; provided it shall not exceed thirty days. Any legislative action had after the time so limited or as to objects not enumerated in said proclamation, shall be null and void.

Art. 76. Every bill which shall have passed both houses shall be presented to the Governor. If he approves it, he shall sign it; if not, he shall return it, with his objections in writing, to the house in which it originated, which house shall enter the objections at large upon the Journal, and proceed to reconsider the bill. If, after such reconsideration, two-thirds of all the members elected to that house shall agree to pass the bill, it shall be sent, with the objections to the other house, by which likewise it shall be reconsidered; and if passed by two-thirds of the members elected to that house, it shall be a law; but in such cases the votes of both houses shall be taken by yeas and nays, and the names of the members voting for and against the bill shall be entered on the Journal of each house respectively. If any bill shall not be returned by the Governor within five days after it shall be presented to him, it shall be a law in like manner as if he signed it, unless the General Assembly, by adjournment, shall prevent its return, in which case it shall not be a law.

Art. 77. The Governor shall have power to disapprove of any item or items of any bill making appropriations of money, embracing distinct items, and the part or parts of the bill approved shall be law, and the item or items of appropriation disapproved shall be void, unless repassed according to the rules and limitations prescribed for the passage of other bills over the executive veto.

Art. 78. Every order, resolution, or vote, to which the concurrence of both houses may be necessary, except on a question of adjournment, or matters of parliamentary proceedings, or an address for removal from office, shall be presented to the Governor, and before it shall take effect, be approved by him, or, being disapproved, shall be repassed according to the rules and limitations prescribed for the passage of bills over the executive veto.

Art. 79. The Treasurer, Auditor, Attorney General and Secretary of State shall be elected by qualified electors of the State, at the time and place of voting for Representatives, for the term of four years; and in case of vacancy caused by death, resignation, permanent absence or otherwise, of any of said officers, the Governor shall fill the vacancy by appointment, with the advice and consent of the Senate; provided, the Secretary of State shall have

authority to appoint an assistant, who shall be known as Assistant Secretary of State, *sic* or in case of his disability to act, or under the directions of the Secretary of State, the Assistant Secretary of State shall have authority to perform all the acts and duties of the office of Secretary of State. The Secretary of State shall have authority to remove the Assistant Secretary of State at pleasure.

Art. 80. The Treasurer shall not be eligible as his own immediate successor.

Art. 81. The Auditor of Public Accounts shall receive a salary of two thousand five hundred dollars per annum. The Treasurer shall receive a salary of two thousand dollars per annum. The Secretary of State shall receive a salary of one thousand eight hundred dollars per annum. Each of the said officers shall be paid monthly, and no fees, or perquisites, or other compensation shall be allowed them; provided, that the Secretary of State may be allowed fees, as may be provided by law, for copies and certificates furnished to private persons.

Art. 82. Appropriations for the clerical expenses of the officers named in the preceding article shall specify each item of appropriation; and shall not exceed in any one year, for the Treasurer, the sum of two thousand dollars; for the Secretary of State, the sum of two thousand five hundred dollars, and the salary of the Assistant Secretary of State shall be included in this amount; and for the Auditor of Public Accounts the sum of four thousand dollars.

Art. 83. All commissions shall be in the name and by the authority of the State of Louisiana; and shall be sealed with the State seal, signed by the Governor and countersigned by the Secretary of State

JUDICIARY DEPARTMENT.

Art. 84. The judicial power of the State shall be vested in a Supreme Court, in Courts of Appeal, in District Courts, in justices of the peace and in such other courts as are hereinafter provided for.

Art. 85. The Supreme Court, except as hereinafter provided, shall have appellate jurisdiction only, which jurisdiction shall extend to all cases where the matter in dispute, or the fund to be distributed, whatever may be the amount therein claimed, shall exceed two thousand dollars, exclusive of interest; to suits for divorce and separation from bed and board, and to all matters arising therein; to suits involving alimony, for the nullity of marriage, or for interdiction; to all matters of adoption, emancipation, legitimacy and custody of children; to suits involving homestead exemptions, and to all cases in which the constitutionality or legality of any tax, toll or impost whatever, or of any fine, forfeiture or penalty imposed by a municipal corporation shall be in contestation, whatever may be the amount thereof, and to all cases wherein an ordinance of a municipal corporation or a law of this State has been declared unconstitutional, and in such cases the appeal on the law and the facts shall be directly from the court in which the case originated to the Supreme Court; and to criminal cases on questions of law alone, whenever the punishment of death or imprisonment at hard labor may be

indicted or a fine exceeding three hundred dollars, or imprisonment exceeding six months, is actually imposed. Said court shall have such original jurisdiction as may be necessary to enable it to determine questions of fact affecting its own jurisdiction in any case pending before it, or it may remand the case; and shall have exclusive original jurisdiction in all matters touching professional misconduct of members of the bar, with power to disbar under such rules as may be adopted by the court.

Art. 86. The Supreme Court shall be composed of one Chief Justice and four 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 be appointed by the Governor, with the advice and consent of the Senate, for the term of twelve years. In case of death, resignation or removal from office of any justice, the vacancy shall be filled by appointment for the unexpired term of such justice. 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 appointment.

Art. 87. The State shall be divided into four Supreme Court districts, and the Supreme Court shall always be composed of justices appointed from said districts. The parishes of Orleans, St. John the Baptist, St. Charles, St. Bernard, Plaquemines, and Jefferson shall compose the first district, from which two justices shall be appointed.

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 appointed.

The parishes of DeSoto, Red River, Winn, Grant, Natchitoches, Sabine, Vernon, Calcasieu, Cameron, Rapides, Avoyelles, Pointe Coupee, West Baton Rouge, Iberville, St. Landry, Acadia, Lafayette, and Vermillion, shall compose the third district, from which one justice shall be appointed.

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 appointed.

The justices of the Supreme Court, as now constituted, shall serve until the expiration of their respective terms. When the office of Chief Justice becomes vacant, either from expiration of term, death, resignation, or from any other cause, the Associate Justice who has served the longest time, shall by virtue of said length of service, become Chief Justice, and the new appointee shall become an Associate Justice only.

Art. 88. The Supreme Court shall hold its sessions in the City of New Orleans from the first Monday in the month of November to

the end of the month of June in each and every year. It shall appoint its own clerks and remove them at pleasure.

The General Assembly shall make the necessary appropriation to provide suitable and commodious buildings for said court and the records thereof, and for the care and maintenance of the State library therein; and shall provide for the repair and alteration of the building now occupied by the court.

Art. 89. No judgment shall be rendered by the Supreme Court without the concurrence of three justices. Whenever three members can not concur in any case, in consequence of the recusation of any member or members of the court, or for any other cause, the court shall have authority to call on any judge or judges of the Courts of Appeals, or District Courts, whose duty it shall be, when so called upon, to sit in such case.

Art. 90. All judges, by virtue of their office, shall be conservators of the peace throughout the State. The style of all process shall be "The State of Louisiana." All prosecutions shall be carried on in the name and by the authority of the State of Louisiana, and conclude: "Against the peace and dignity of the same."

Art. 91. The judges of all courts, whenever practicable, shall refer to the law by virtue of which every definitive judgment is rendered, and in every case they shall adduce the reasons on which their judgment is founded. Service of citation shall not be waived nor judgment confessed, by any document under private signature executed prior to the maturity of the obligation sued on.

Art. 92. The decisions of the Supreme Court shall be reported under the direction of the court; the publication thereof shall be let out by contract to the lowest bidder, who need not be a citizen of the State; provided, that the annual reports for the year 1898, shall be published in numbers, and completed under the present contract therefor, and the present reporter shall remain in office until February 1, 1899.

Concurring and dissenting opinions shall not be published.

The General Assembly shall annually appropriate the sum of two thousand dollars, as salary of stenographers to be appointed by the court, and for the use of the justices thereof.

Art. 93. The Supreme Court, and each of the justices thereof, shall have power to issue the writ of habeas corpus, at the instance of any person in actual custody, in any case where it may have appellate jurisdiction.

Art. 94. The Supreme Court shall have control and general supervision over all inferior courts. The Court, or any justice thereof, shall have power to issue writs of certiorari, prohibition, mandamus, quo warranto, and other remedial writs.

Art. 95. In all cases where there is an appeal from a judgment rendered on a reconventional demand, the appeal shall lie to the court having jurisdiction of the main demand.

Art. 96. Except as herein provided, no duties or functions shall ever be attached by law to the Supreme Court, Courts of Appeal, or District Courts, or to the several justices, or judges thereof, except such as are judicial, and the said justices and judges are prohibited

from receiving any fees of office, or other compensation than their salaries, for any official duty performed by them. No judicial powers, except as committing magistrates in criminal cases, shall be conferred on any officer other than those mentioned in this title, except such as may be necessary in towns and cities; provided, the General Assembly shall have the power to abolish justice of the peace courts in wards containnig cities of more than five thousand inhabitants, and to create in their stead courts with such civil jurisdiction as is now vested in justices of the peace, and with criminal jurisdiction which shall not extend beyond the trial of offences not punishable by imprisonment at hard labor under the laws of this State, and of violations of municipal and parochial ordinances, and the holding of preliminary examinations in cases not capital. Provided, the compensation of the judges of such courts shall be paid by the parishes and cities in which they are established, in such proportions as may be provided by law.

Attorney General.

Art. 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 his election. He shall receive a salary of three thousand dollars per annum, payable monthly on his own warrant.

COURTS OF APPEAL.

Art. 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 or probate, when the matter in dispute or the funds to be distributed shall exceed one hundred dollars, exclusive of interest, and shall not exceed two thousand dollars, exclusive of interest.

Art. 99. The Courts of Appeal shall remain as at present constituted, until the first day of July, 1900. From and after that date the several Courts of Appeal, except as hereinafter provided, shall consist of one of the judges of those courts whose terms shall not have expired, and who, with a judge of a district court to be designated by the Supreme Court, shall be assigned by the Supreme Court to ~~that~~ duty, throughout the State.

From and after the first day of July, 1904, the Courts of Appeal shall be composed of two district judges, to be from time to time designated by the Supreme Court, and assigned to the performance of the duties of judges of said Courts of Appeal; provided, that no district judge shall be assigned to serve as a member of the Court of Appeal for any parish in his own district; and, provided further, that district judges shall be paid their actual and necessary expenses when serving as judges of the Courts of Appeal in such manner as may be provided by law.

Art. 100. There shall be two terms of the said Courts of Appeal

held in each parish annually, to be fixed by the judges of said courts, until the first day of July, 1904. Thereafter the terms of said courts shall be fixed in such manner as may be provided by law.

Art. 101. The judges of the Courts of Appeal shall have power to certify to the Supreme Court any question or proposition of law arising in any cause pending before them concerning which they desire the instruction of that court, for its proper decision; and thereupon the Supreme Court may either give its instruction on the question or proposition certified to it, which shall be binding upon the Court of Appeal in such case, or it may require that the whole record be sent up for its consideration, and thereupon shall decide the whole matter in controversy in the same manner as if it had been on appeal directly to the Supreme Court. It shall be competent for the Supreme Court to require by certiorari, or otherwise, any case to be certified from the Courts of Appeal to it for its review and determination, with the same power and authority in the case, as if it had been carried directly by appeal to the said court; provided, that the Supreme Court shall in no case exercise the power conferred on it by this article, unless the application be made to the court, or to one of the justices thereof, not later than thirty days after the decision of the Court of Appeals has been rendered and entered.

Art. 102. No judgment shall be rendered by the Courts of Appeal without the concurrence of two judges. Whenever there shall be a disagreement in the Courts of Appeal above provided, the Court shall appoint a district judge or a lawyer having the qualifications of a judge of the court to sit in the case, and in case of the recusation, absence, or disability, of one of the judges, the other judge shall select a judge or lawyer, as aforesaid, to sit in the case. In the Court of Appeal for the parish of Orleans, when two judges can not concur for any reason, the court shall select a district judge, or judges, to sit in the case.

Art. 103. All cases on appeal to the Courts of Appeal shall be tried on the original record, pleadings and evidence.

Art. 104. The rules of practice regulating appeals to and proceedings in the Supreme Court shall apply to appeals and proceedings in the Courts of Appeal, so far as they may be applicable, until otherwise provided. The Courts of Appeal, and each of the judges thereof, shall have power to issue the writ of *habeas corpus* at the instance of any person in actual custody within their respective circuits.

They shall also have authority to issue writs of *mandamus*, prohibition, and *certiorari*, in aid of their appellate jurisdiction.

Art. 105. The several judges of the Courts of Appeal, as constituted under the Constitution of 1879, shall each receive a salary of four thousand dollars per annum, payable monthly on his own warrant.

Art. 106. The sheriff of the parish in which the sessions of the court are held shall attend in person, or by deputy, to execute the orders of the court.

District Courts.

Art. 107. The State shall be divided into not less than twenty nor more than twenty-nine judicial districts, the parish of Orleans excepted.

Until otherwise provided by law, there shall be twenty-nine districts.

Art. 108. The parish of Caddo shall compose the first district.

The parishes of Bossier and Webster shall compose the second district.

The parishes of Claiborne and Bienville shall compose the third district.

The parishes of Union and Lincoln shall compose the fourth district.

The parishes of Caldwell, Jackson and Winn shall compose the fifth district.

The parishes of Ouachita and Morehouse shall compose the sixth district.

The parishes of West Carroll and Richland shall compose the seventh district.

The parishes of Franklin and Catahoula shall compose the eighth district.

The parishes of Madison and East Carroll shall compose the ninth district.

The parishes of Concordia and Tensas shall compose the tenth district.

The parishes of Natchitoches and Red River shall compose the eleventh district.

The parishes of De Soto, Sabine and Vernon shall compose the twelfth district.

The parishes of Rapides and Grant shall compose the thirteenth district.

The parish of Avoyelles shall compose the fourteenth district.

The parishes of Calcasieu and Cameron shall compose the fifteenth district.

The parish of St. Landry shall compose the sixteenth district.

The parish of Vermillion shall compose the seventeenth district.

The parishes of Acadia and Lafayette shall compose the eighteenth district.

The parishes of Iberia and St. Martin shall compose the nineteenth district.

The parishes of Terrebonne and Lafourche shall compose the twentieth district.

The parishes of Iberville, West Baton Rouge, and Pointe Coupee shall compose the twenty-first district.

The parish of East Baton Rouge shall compose the twenty-second district.

The parish of St. Mary shall compose the twenty-third district.

The parishes of East Feliciana and West Feliciana shall compose the twenty-fourth district.

The parishes of St. Helena, Livingston, and Tangipahoa shall compose the twenty-fifth district.

The parishes of Washington and St. Tammany shall compose the twenty-sixth district.

The parishes of Ascension, St. James, and Assumption shall compose the twenty-seventh district.

The parishes of St. John the Baptist, St. Charles, and Jefferson shall compose the twenty-eighth district.

The parishes of St. Bernard and Plaquemines shall compose the twenty-ninth district.

The judges of the first, sixth, tenth, eleventh, twelfth, thirteenth, fifteenth, sixteenth, nineteenth, twentieth, twenty-second, twenty-third, twenty-fifth, twenty-seventh, and twenty-eighth districts shall each receive a salary of three thousand dollars per annum, and the judges of the second, third, fourth, ninth, fourteenth, eighteenth, twenty-first, twenty-fourth, twenty-sixth, and twenty-ninth districts shall each receive a salary of two thousand five hundred dollars; the judges of the fifth, seventh, eighth, and seventeenth districts shall each receive a salary of two thousand dollars per annum; such salaries to be paid monthly on their own warrants. Provided, that if the General Assembly at any time reduces the number of districts, as herein fixed, it shall have the right to regrade the salaries of the judges, but in no case shall any judge receive a salary in excess of three thousand dollars per annum.

Art. 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 the 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 1900, 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, shall be filled for the unexpired term by appointment by the Governor, with the advice and consent of the Senate.

Art. 110. The General Assembly shall not have power to increase the number of district judges in any district.

Art. 111. The District Courts shall have jurisdiction of appeals from justices of the peace in all civil matters, regardless of the amount in dispute, and from all orders requiring a peace bond. Persons sentenced to a fine or imprisonment, by Mayors or Record-ers, shall be entitled to an appeal to the District Court of the parish, upon giving security for fine and costs of court, and in such cases trial shall be *de novo* and without juries.

Art. 112. The General Assembly shall provide by law for the interchange of district judges; and also for the trial of recused cases in the District Courts by the selection of licensed attorneys at law, by an interchange of judges or otherwise. Whenever any district judge is prevented by disability, or any other cause whatever, from holding his court, and that fact is made to appear by the certificate of the clerk, under the seal of the court, to the Supreme Court, or to any justice thereof, if in the judgment of the court, or any justice, the public interest so requires, the court or such justice shall designate and appoint any district judge of any other district to hold said court and discharge all the judicial duties of the judge so disabled during said disability. Such appointment shall be filed in the clerk's office and entered on the minutes of said District Court, and a certified copy thereof, under the seal of the court, shall be transmitted by the clerk of the District Court to the district judge so designated and appointed.

Art. 113. Wherever in this Constitution the qualification of any justice or judge shall be the previous practice of the law for a term of years, there shall be included in such term the time such justice or judge shall have occupied the bench of any court of record in this State; provided, he shall have been a licensed attorney for five years before his election or appointment.

Art. 114. No judge of any court of the State shall be affected in his term of office, salary, or jurisdiction as to territory or amount, during the term or period for which he was elected or appointed. Any legislation so affecting any judge or court shall take effect only at the end of the term of office of the judge or judges, incumbents of the court, or courts, to which such legislation may apply at the time of its enactment. This article shall not affect the provisions of this Constitution relative to impeachment or removal from office.

Art. 115. The district judges shall have power to issue the writ of *habeas corpus* at the instance of any person in actual custody in their respective districts.

Art. 116. The General Assembly shall provide for the selection of competent and intelligent jurors. All cases in which the punish-

ment may not be at hard labor shall, until otherwise provided by law, which shall not be prior to 1904, be tried by the judge without a jury. Cases in which the punishment may be at hard labor shall be tried by a jury of five, all of whom must concur to render a verdict; cases in which the punishment is necessarily at hard labor, by a jury of twelve, nine of whom concurring may render a verdict; cases in which the punishment may be capital, by a jury of twelve, all of whom must concur to render a verdict.

Art. 117. District Courts shall hold continuous sessions during ten months of the year. In districts composed of more than one parish the judge shall sit alternately in each parish, as the public business may require. Until otherwise provided by law, judgments shall be signed after three days from the rendition thereof, and become executory ten days from such signing.

The General Assembly shall provide for the drawing of juries for the trial of civil and criminal cases. A grand jury of twelve, nine of whom must concur to find an indictment, shall be empaneled in each parish twice in each year, and shall remain in office until a succeeding grand jury is empaneled; except in the parish of Cameron, in which at least one grand jury shall be empaneled each year. The district judge shall have authority to try at any time all misdemeanors, and when the jury is waived all cases; not necessarily punishable at hard labor, and to receive pleas of guilty in cases less than capital.

The provisions of this article shall go into effect upon the adoption of this Constitution.

Art. 118. The District Courts as created and now existing under the Constitution of 1879, in the various parishes of the State, as now apportioned under existing laws, shall remain undisturbed until the organization of the District Courts created by this Constitution, after the general election of 1900, and the judges thereof shall receive salaries as now fixed.

Sheriffs and Coroners.

Art. 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.

Sheriffs elected or appointed shall furnish bond 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.

Art. 120. The sheriff shall receive compensation from the parish for his services in criminal matters—the keeping of prisoners, conveying convicts to the penitentiary, insane persons to the *Lasane Asylum*, service of process from another parish, and service of process or the performance of any duty beyond the limits of his own parish excepted—not to exceed five hundred dollars per annum for each Representative the parish may have in the House of Representatives.

The compensation of sheriffs as tax collectors shall not exceed five per cent on all sums collected and paid over; provided, that they shall not be discharged as tax collectors until they make proof that they have exhausted the legal remedies to collect taxes.

Art. 121. The coroner in each parish shall be a doctor of medicine, regularly licensed to practice, and *ex-officio* parish physician; provided, this article shall not apply to any parish in which there is no regularly licensed physician who will accept the office.

Clerks.

Art. 122. There shall be a clerk of the District Court in each parish, the Parish of Orleans excepted, who shall be *ex-officio* clerk of the Court of Appeal.

He shall be elected by the qualified electors of the parish every four years, and shall be *ex-officio* parish recorder of conveyances, mortgages, and other acts, and notary public.

He shall receive no compensation from the State or parish for his services in criminal matters.

He shall give bond and security for the faithful performance of his duties in such amount as shall be fixed by the General Assembly.

Art. 123. The General Assembly shall have power to vest in clerks of court authority to grant such orders and do such acts as may be deemed necessary for the furtherance of the administration of justice; and in all cases the power thus vested shall be specified and determined.

Art. 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 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 appointed and duly qualified.

District Attorneys.

Art. 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 district 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.

Any vacancy in the office of District Attorney shall be filled by appointment by the Governor for the unexpired term.

Justices of the Peace.

Art. 126. In each parish, the Parish of Orleans excepted, there shall be as many justices of the peace as may be provided by law. The present number of justices of the peace shall remain as now fixed until otherwise provided. They shall be freeholders and qualified electors and possess such other qualifications as may be prescribed by law. They shall be elected for the term of four years by the qualified voters within the territorial limits of their jurisdiction.

They shall have exclusive original jurisdiction in all civil matters, when the amount in dispute shall not exceed fifty dollars, exclusive of interest, and original jurisdiction concurrent with the District Court when the amount in dispute shall exceed fifty dollars, exclusive of interest, and shall not exceed one hundred dollars, exclusive of interest; including suits for the ownership or possession of movable property not exceeding said amounts in value, and suits by landlords for possession of leased premises, when the monthly or yearly rent, or the rent for the unexpired term of the lease does not exceed said amounts. They shall have no jurisdiction in succession or probate matters, or when a succession is a defendant, or when the State, parish or any municipality or other political corporation, is a party defendant, or when title to real estate is involved. They shall receive such fees in civil matters as may be fixed by law. They shall have criminal jurisdiction as committing magistrates, and shall have power to bail or discharge in cases not capital or necessarily punishable at hard labor. The General Assembly may by general or special laws invest justices of the peace in general or in any particular parish or parishes with criminal jurisdiction over misdemeanors to be tried with a jury composed of not more than five nor less than three persons, in such manner as may be provided by law, with the right of appeal to the District Court in all cases, not appealable to the Supreme Court, as hereinbefore provided for.

Constables.

Art. 127. There shall be a constable for the court of each justice of the peace in the several parishes of the State, who shall be elected for a term of four years, by the qualified voters within the territorial limits of the jurisdiction of the several justices of the peace. They shall receive such fees in civil matters as may be fixed by law.

Art. 128. Justices of the peace and constables shall receive no fees in criminal matters, including peace bond cases, but, in lieu thereof such salaries as may be fixed by the police jury, and paid by the parish, which salaries shall be graded.

Art. 129. The General Assembly, at its first session after this Con-

stitution is adopted, shall provide a general fee bill, or bill of costs regulating and fixing the fees and compensation allowed sheriffs, clerks and recorders, justices of the peace, constables and coroners in all civil matters. The General Assembly may provide in all civil cases for the service of process and pleadings by the litigants themselves.

Courts and Officers for the Parish of Orleans, and City of New Orleans.

Art. 130. Except as herein otherwise provided, the judicial officers of the Parish of Orleans, and of the City of New Orleans, shall be learned in the law, and shall have resided and practiced law or shall have held judicial positions in this State for five years, and shall have been actual residents of the City of New Orleans for at least two years next preceding their election or appointment.

Art. 131. There shall be a Court of Appeal, to be known and designated as the Court of Appeal for the Parish of Orleans, which shall be composed of three judges, who shall be learned in the law and who shall have practiced law in this State for six years, and shall have been residents of one of the parishes hereinafter named for at least two years next preceding their election or appointment, and they shall be elected by the qualified electors of the said parishes. Said court shall sit in the City of New Orleans, and shall hold its session from the second Monday of October until the end of the month of June in each year. Said court, until the first day of August, 1900, shall be composed of the present judges thereof, and a third judge, who shall be elected by the qualified voters of the Parish of Orleans, at the Congressional election in the year 1898, and who shall serve in said court until the 1st of August, 1900. His successor shall be elected for a term of eight years from that date, at the general State election of 1900. On August 1, 1900, the [judge] of the Court of Appeal for the Fifth Circuit, as established under the Constitution of 1879, who was elected in the year 1896, shall become a member of the Court of Appeal for the Parish of Orleans, and together with the judge of that court elected in 1896, shall serve until the election of their successors at the Congressional election of 1904. At that election one judge of said court shall be elected for a term of six years and one for a term of eight years, and thereafter all elections for judges of said court shall be for terms of eight years.

Vacancies occasioned by death, resignation, or otherwise, shall be filled for the unexpired terms by appointment by the Governor, with the advice and consent of the Senate.

The judges of said court shall each receive a salary of four thousand dollars per annum, payable monthly on his own warrant.

After August 1, 1900, in addition to those from the Parish of Orleans, all appeals within its jurisdiction from the parishes of Jefferson, St. Charles, Plaquemines, and St. Bernard, shall be returnable to said court, and the costs of filing same shall not exceed five dollars in each case.

All cases pending and undetermined on said date in the Courts of Appeal as now constituted, from said parishes, shall be transferred to said Court of Appeal for the Parish of Orleans without cost to the parties.

There shall be a clerk of said Court of Appeal, who shall be elected by the qualified voters of said parishes for a term of four years, he shall be entitled to charge and retain as his compensation such fees as may be allowed by law. The first election for said clerk shall be held in the year 1899, at the time the parochial and municipal elections are held in the City of New Orleans; said clerk shall appoint, if necessary, deputy clerks, and shall fix and pay their salaries; he shall give bond in the sum of five thousand dollars, which bond shall be examined in open court by the judges of the court, and all testimony given in said examination shall be reduced to writing and made of record; he may be removed by the court for the same causes and in the same manner as is hereinafter provided for the clerk of the Civil District Court for the Parish of Orleans; he may act as minute clerk of the court or appoint a deputy to that position.

Said Court of Appeal for the Parish of Orleans shall hereafter have appellate jurisdiction from the city courts of New Orleans as now constituted, under the same conditions as hereinafter provided for appeals from the City Courts to be organized under this Constitution.

Art. 132. There shall be two District Courts for the Parish of Orleans, and no more. One of said courts shall be known as the Civil District Court, and the other as the Criminal District Court. For the Civil District Court there shall be not less than five judges, and for the Criminal District Court not less than two judges, who shall be elected by a plurality of the qualified electors of the Parish of Orleans for the term of twelve years, and who shall each receive an annual salary of four thousand dollars, payable upon his own warrant, in equal monthly instalments.

Art. 133. The Civil District Court shall have exclusive and general original probate jurisdiction, and exclusive original civil jurisdiction, in all cases where the amount in dispute or the fund to be distributed, shall exceed one hundred dollars exclusive of interest; and exclusive jurisdiction in suits by married women for separation of property, in suits for separation from bed and board, for divorce, for nullity of marriage, or for interdiction, and in suits involving title to immovable property, or to office or other public position, or civil or political rights; and in all other cases, except as hereinafter provided, where no specific amount is in contest, and of all proceedings for the appointment of receivers or liquidators to corporations or partnerships. And said court shall have authority to issue all such writs, process and orders as may be necessary or proper for the purposes of the jurisdiction herein conferred upon it.

Art. 134. All cases after being filed in said Civil District Court shall be allotted or assigned, among the judges thereof, and, except as herein otherwise provided, each judge, or his successor, shall have exclusive control over every case allotted or assigned to him,

from its inception to its final determination in said court. In case of vacancy in the office, recusation, absence or disability of a judge to whom a case has been allotted or assigned, or in case such action is deemed advisable in the proper administration of justice, or of the business of the court, such case may be reallocated or reassigned, or without such reallocation or reassignment, but, under rules to be adopted, it may be taken in charge by another judge of said court, and the judge to whom a case is thus reallocated or reassigned, or by whom it is thus taken in charge, shall be authorized to act therein for all purposes as though such case had been originally allotted or assigned to him. Previous to the allotment or assignment of a case, any judge of said court may, for the purposes of such case, make interlocutory orders, and issue and grant conservatory writs and executory process. Applications for naturalization, for emancipation, and by married women for authorization, when there is consent given and no issue joined, or where there is no contest, suits for nullity, and for revival of judgment, and suits in which is claimed an interest in property or funds as to which a particular judge has acquired jurisdiction, need not be allotted or especially assigned, but shall be controlled by law or by rules to be adopted by the court.

Art. 135. Judgments homologating accounts, which have been duly advertised, when not opposed, or so far as not opposed, may be rendered and signed either in term time or vacation; and by any judge, in the absence or disability of the judge to whom the case has been allotted.

Art. 136. The judges of said Civil District Court shall be authorized to adopt rules, not in conflict with law, regulating the allotment, assignment and disposition of cases, the order in which they shall be tried, and the proceedings in such trials, and to sit *en banc* for the purpose of testing the bonds and sureties of the clerk of the court, the recorder of mortgages, the register of conveyances, and the civil sheriff; for the trial and removal of the clerk and civil sheriff, or either of them, for the selection of jurors, and in other cases when the action of the court as a whole is required. When sitting *en banc* the judge who has been longest in continuous service in said court, and in his absence the judge longest in service of those present, shall preside; and when a certificate or authentication from the court is required such judge shall be authorized to sign the same as presiding judge. The court may, by its rules, grant the presiding judge further authority not in conflict with these provisions. Provided, that in rendering judgments *en banc*, the court shall conform, as far as practicable, to the rules and practice of the Supreme Court.

Art. 137. There shall be one clerk for the Civil District Court, who, until the election and induction into office of the clerk of the Court of Appeal, provided for in Article 131, shall be *ex-officio* clerk of the Court of Appeal for the Parish of Orleans, and shall be elected by the voters of said parish for the term of four years. His qualifications and duties, except as herein provided, shall be as fixed by law; he shall furnish bond in the sum of twenty thousand dol-

lars, which bond shall be examined by the court, and all testimony given in such examination shall be reduced to writing and filed of record in the court. He shall charge and collect the fees prescribed by the General Assembly, and shall dispose of the same as hereinafter provided; the amount of his compensation shall be three thousand six hundred dollars per annum.

Said clerk shall be authorized, with the approval of the judges of the Civil District Court, to appoint such deputies and other assistants, at salaries not to exceed those now fixed by the law, as in the opinion of said judges are needed for the efficient discharge of the duties of his office; and he may remove them at pleasure, or the court may remove them. The Court of Appeal for the Parish of Orleans, until after the election of the clerk thereof, as hereinbefore provided, and each judge of the Civil District Court shall appoint one minute clerk, who shall be sworn as deputy clerk, and shall receive an annual salary of eighteen hundred dollars in equal monthly installments; and the said Court of Appeal, until said election, shall also have the right to appoint one docket clerk.

The minute clerk appointed by the judge of the Civil District Court longest in continuous service in said court, as hereinbefore provided, shall be *ex-officio* minute clerk of the court when sitting *en banc*, and shall receive, as additional compensation, three hundred dollars per annum, which shall be paid in like manner as his other compensation. The clerk of the Civil District Court shall be removable by the judges of said court, sitting *en banc*, upon proof, after trial, without a jury, of gross or continued neglect, incompetency, or unlawful conduct, operating injury to the court or to any individual, and a majority of said judges shall be competent to render judgment in the case. Such trial and the lodging of complaints leading thereto, shall be regulated by rules which shall be adopted by the judges of the Civil District Court and of the Criminal District Court in joint session.

Art. 138. The Civil District Court shall select a solvent, incorporated bank in New Orleans as a judicial depository, in which, unless otherwise ordered by the court, shall be deposited all money as soon as the same shall come into the hands of the clerk or sheriff, and such deposits shall not be removed in whole or in part without an order from the judge seized with jurisdiction.

Art. 139. The Criminal District Court shall have exclusive original jurisdiction for the trial and punishment of all offenses when the penalty of death, imprisonment at hard labor, or imprisonment without hard labor for any time exceeding six months, or a fine exceeding three hundred dollars may be imposed, and appellate jurisdiction in all cases tried before the City Criminal Courts, or Recorders' Courts of New Orleans, which cases shall be appealable on the law and the facts, and shall be tried on the record and the evidence as made and offered in the lower court. Provided, that until the General Assembly shall enact a law grading offenses, said court shall have general criminal jurisdiction extending to all cases arising in the Parish of Orleans, the jurisdiction of which is not vested by law or by this Con-

stitution in some other court. Said court shall have general and supervisory jurisdiction over all inferior State and municipal criminal courts in the Parish of Orleans, and shall have authority to issue writs of *habeas corpus*, in criminal and quasi-criminal cases, and such other writs and orders as may be necessary or proper in aid of the jurisdiction conferred upon it; and to adopt rules not in conflict with law, regulating the order of preference, and proceedings in the trial of cases, and the method of allotting or assigning such cases, and of re-alloting and re-assigning them, in case of vacancy in the office, recusation, absence or disability of one or more of the judges, or in case such action is deemed necessary for the proper administration of justice. All prosecutions instituted in, and all cases appealed to said Criminal District Court shall be equally allotted or assigned by classes among the judges, and each judge, or his successor, shall have exclusive control over any case allotted or assigned to him, from its inception to its final determination in said court, except as herein otherwise provided.

There shall be one clerk for the Criminal District Court, who shall be elected by the voters of the Parish of Orleans, for the term of four years. His qualifications and duties, except as herein provided, shall be as fixed by law. He shall furnish bond in the sum of ten thousand dollars, which bond shall be examined by the court, in like manner as the bond of the clerk of the Civil District Court. He shall receive an annual salary of three thousand dollars, which shall be paid by the City of New Orleans, in equal monthly installments, and he shall receive no other compensation. He shall appoint, with the approval of the court, such deputies, at such salaries, as may be fixed by law. Said deputies may be removed at the pleasure of the clerk of the court, and their salaries shall be paid by the City of New Orleans.

Each judge of said court shall appoint a minute clerk, who shall be sworn as a deputy clerk, and shall receive an annual salary of eighteen hundred dollars, which shall be paid by the City of New Orleans, in the same manner as the salary of the clerk. One of the said minute clerks, to be designated by the judge longest in continuous service in said court, shall be *ex-officio* minute clerk of said court when sitting *en banc*, and shall receive, as additional compensation, three hundred dollars per annum, which shall be paid in like manner as his other compensation. The said clerk shall be removable by the judges of the Criminal District Court for the causes, and in the manner prescribed for the removal of the clerk of the Civil District Court.

Art. 140. There shall be in the City of New Orleans two inferior criminal courts, to be known respectively as the First City Criminal Court and the Second [City] Criminal Court, each of which shall be presided over by one judge, and which shall have jurisdiction within the territory hereinafter prescribed, for the trial and punishment, without juries, and subject to appeal to the Criminal District Court, of all offenses against the State where the penalty does not exceed six months' imprisonment in the parish jail, or a fine of three hundred dollars, or both; in all other cases the judges of said courts shall

have jurisdiction as committing magistrates, with authority to bail or discharge.

The territorial jurisdiction of the First City Criminal Court shall extend over the First, Fourth, Sixth and Seventh Municipal Districts of the City of New Orleans; and of the Second City Criminal Court, over the Second, Third and Fifth Municipal Districts of said city.

Said judges shall be elected by the voters of the City of New Orleans, at large, for the term of four years; the first election therefor, shall be held at the Congressional election in November, 1898, and the judges then elected shall serve until May 1st, 1900, and their successors shall be elected at the parochial and municipal election in the year 1899. They shall be learned in the law, and shall have resided and practiced as attorneys in the City of New Orleans for not less than three years before their election or appointment. The judges of said courts shall each receive a yearly compensation of three thousand dollars, payable monthly on his own warrant. Each judge shall appoint a clerk and such deputies as may be authorized by law, at salaries not exceeding twelve hundred dollars per annum, except one deputy, who shall be a stenographer, and who may receive a salary not exceeding fifteen hundred dollars per annum, to be paid in monthly installments, by the City of New Orleans.

Art. 141. The General Assembly shall provide for Recorders' Courts in the city of New Orleans, to be presided over by magistrates, who need not be attorneys at law, but such courts shall have no jurisdiction except for the trial of offences against city ordinances.

Art. 142. There shall be a civil and criminal sheriff for the parish of Orleans, who shall be elected by the voters of said parish for the term of four years. Their qualifications and duties other than as herein provided, shall be prescribed by law. Each of said sheriffs shall execute an official bond, the civil sheriff in the sum of fifty thousand dollars, and the criminal sheriff in the sum of ten thousand dollars; and the bonds of said sheriffs respectively shall be examined in open court by the judges of the District Court which he serves, and all testimony given in such examinations shall be reduced to writing and made of record in said court. The civil sheriff shall be executive officer of all the Civil Courts in the parish of Orleans, except the City Courts; and the criminal sheriff shall be the executive officer of all the Criminal Courts in said parish.

The civil sheriff shall appoint as many deputies as, in his opinion, are needed for the efficient discharge of the duties of his office; but after May 1, 1900, the Court of Appeal for the parish of Orleans, and each judge of the Civil District Court, shall name one deputy to be so appointed, who shall serve as crier in said court, and in the divisions presided over by said judges respectively, and who shall each receive a salary of six hundred dollars per annum to be paid by the sheriff. When not engaged in court they shall perform such duties as the sheriff may require.

The civil sheriff shall receive as compensation such fees as may

be now or hereafter allowed by law, and shall pay his deputies and all expenses of his office.

The civil sheriff shall pay the sum of two thousand dollars annually, in quarterly instalments, to the city of New Orleans for the fund for payment and redemption of judicial fund warrants and certificates hereinafter provided for. In cases where the said sheriff is a party in interest, the criminal sheriff, or one of his deputies shall act. The criminal sheriff shall receive an annual salary of three thousand six hundred dollars per annum, which shall be paid by the city of New Orleans in equal monthly instalments, and he shall receive no other compensation; he shall appoint, with the approval of the judges of the Criminal District Court for the parish of Orleans, as many deputies as in the opinion of said judges are needed for the efficient discharge of the duties of his office, and the salaries of such deputies shall be fixed by the Council of the City of New Orleans, and paid in like manner as his own. Each judge of said Criminal District (Court) shall name one deputy to be so appointed, who shall serve as crier in the sections presided over by the judges respectively, and shall each receive a salary of one thousand dollars per annum. When not engaged in court they shall perform such other duties as the sheriff may require.

The criminal sheriff shall account to and settle with the city of New Orleans for all fines and judgments collected by him, without deductions of any kind, and all expenses of his office shall be borne by said corporation.

Art. 143. There shall be a First City Court in New Orleans, composed of three judges, each of whom shall receive a salary of twenty-four hundred dollars per annum, payable monthly on his own warrant. Said court shall have exclusive original jurisdiction when the defendant resides in that part of the city of New Orleans on the left bank of the Mississippi river, in all cases when the amount in dispute or the fund to be distributed does not exceed one hundred dollars, exclusive of interest, including suits for the ownership or possession of movable property not exceeding that amount in value; and suits by landlords for possession of leased premises when the monthly or yearly rent, or the rent for the unexpired term of the lease does not exceed that amount; subject to an appeal in all cases to the Court of Appeal for the parish of Orleans. All appeals shall be tried *de novo*, and the judges of the Court of Appeal may provide by rules that one or more of the judges shall try such cases, which they shall be authorized to decide immediately after trial and without written opinions.

The judges of said court shall have authority to issue marriage licenses and celebrate marriages, subject to such conditions as may be imposed by law, and to execute commissions to take testimony, and to receive therefor the fees allowed by law; they shall adopt rules not in conflict with law for the fixing and trial of cases, and shall sit *en banc* for the purpose of examining the bonds of the clerk and constable of said court, and for the trial and removal of said officers, or either of them, in which proceeding they shall be governed by the provisions of this Constitution as far as they are applicable upon the

subject of the bond and of the trial and the removal from office of the clerk of the Civil District Court.

The city of New Orleans shall provide suitable accommodations for said court, and cases filed in said court shall be allotted equally to the judges thereof. The pleadings in said court shall be in writing, prepared by the litigants, or their attorneys, or by the clerk.

Art. 144. There shall be one clerk for said First City Court of New Orleans, who shall furnish bond in the sum of five thousand dollars; his qualifications and duties, except as herein provided, shall be determined by law; his salary shall be eighteen hundred dollars per annum, payable monthly. Each judge shall have the appointment of one deputy clerk, whose compensation shall not exceed twelve hundred dollars per annum. The clerk shall appoint such other deputies as may be authorized by law, provided that their total compensation shall at no time exceed the sum of eighteen hundred dollars per annum.

Art. 145. There shall be one constable for said court, who shall furnish bond in the sum of five thousand dollars, and who shall appoint such deputies as may be necessary; and at such salaries as he may fix and pay. Said deputies shall be removed at his pleasure or at the pleasure of the court. His compensation shall be the fees of his office as now or hereafter fixed by law; he shall furnish and pay one deputy to attend the sittings of each judge, who shall have the selection of such deputy, and who, when not engaged in court, shall perform such other duties as the constable may direct.

The clerk of the said court and the constable thereof shall be removable by the judges of said court sitting *en banc*, for the causes and in the manner prescribed for the removal of the clerk of the Civil District Court, conformably to rules to be adopted by said judges, and subject to an appeal to the Court of Appeal for the parish of Orleans.

Art. 146. The judges, clerk and constable of said court shall be elected for the term of four years by the qualified voters of the City of New Orleans on the left bank of the Mississippi river. The first election under this provision shall be held at the next parochial and municipal election.

Art. 147. There shall also be a Second City Court in the City of New Orleans, on the right bank of the Mississippi river, now known as the Fifth District of the City of New Orleans; and said court shall have the same jurisdiction as the First City Court in all cases where the defendant resides in the Fifth District. There shall be one clerk for said City Court, who shall receive a salary of twelve hundred dollars per annum, payable monthly by the City Treasurer, out of the fund hereinafter provided. There shall be a constable for said court, whose compensation shall be the fees of his office, as may be now or hereafter fixed by law. The judge of said court shall have the same qualifications and authority as the judges of the First City Court, and shall receive the same compensation. Said judge, clerk and constable shall be elected by the qualified voters of said Fifth District of the City of New Orleans, for the term of four years. The first election under this provision shall be held at the next paro-

chial and municipal election. The clerk and constable shall each furnish bond in the sum of one thousand dollars, to be approved by the judge of the court; and they shall be removable by the judge of said court after due trial, subject to an appeal to the Court of Appeal for the Parish of Orleans.

Art. 148. There shall be a District Attorney for the Parish of Orleans, who shall be elected by the voters of said parish for the term of four years, and shall receive an annual salary of one thousand dollars, and such fees as may be allowed by law; but no fees shall be allowed in criminal cases except upon conviction. He shall be a licensed attorney, and may appoint two assistants with like qualifications, at salaries not to exceed eighteen hundred dollars per annum. He shall appoint such other assistants as may be required, at salaries to be fixed and paid by him.

Art. 149. There shall be a register of conveyances and a recorder of mortgages for the Parish of Orleans, who shall be elected by the voters of said parish for the term of four years. Their qualifications and duties shall be as fixed by law; the register of conveyances shall furnish bond in the sum of fifteen thousand dollars, and the recorder of mortgages in the sum of twenty-five thousand dollars, which said bonds shall be examined by the judges of the Civil District Court, and all testimony given in said examinations shall be reduced to writing and filed in the court; they shall appoint such deputies and at such salaries as are now authorized by law, or as hereinafter provided. They shall be governed, with respect to the fees and expenses of their offices, the manner of their compensation and their obligations with regard to accounting and settling, as hereinafter prescribed. The compensation of the register of conveyances shall be twenty-five hundred dollars per annum, and that of the recorder of mortgages shall be four thousand dollars per annum.

Art. 150. The judges of the Civil and Criminal District Courts for the Parish of Orleans, and of the City Courts of New Orleans, and the clerks and constables of said courts respectively, and the sheriffs, district attorney, register of conveyances and recorder of mortgages for the Parish of Orleans, who shall be serving at the time of the adoption of this Constitution, shall, unless removed for cause, remain in office until the expiration of the terms for which they were elected or appointed.

The three judges of the Civil District Court and the one judge of the Criminal District Court, whose terms expire in 1900, shall serve until after the election and qualification of their successors, who shall be elected at the Congressional elections of that year; and the terms of the two judges of the Civil District Court and the one judge of the Criminal District Court, whose terms expire in 1904, shall serve until the election and qualification of their successors, who shall be elected at the Congressional election of that year.

All cases in said courts, and all writs, orders and process issued therefrom, and which shall be pending or in course of execution, together with all the records and archives of said courts, and of the offices hereinabove mentioned shall, upon the adoption of this Constitution, at once, and by virtue of the provisions hereof, be trans-

ferred to, and held to be cases pending in, and writs, orders and process issued from, and in course of execution under the authority of, and records and archives belonging and pertaining to the Civil and Criminal District Courts and the clerks thereof, and the offices of the civil and criminal sheriffs, district attorney, register of conveyances and recorder of mortgages for the Parish of Orleans, respectively established and provided for by this Constitution. No change in the system of docketing or numbering shall be required for the purpose of suits which may hereafter be filed in either of said courts, nor shall any new set of books, or system of keeping the same, be required for the purposes of any of said offices. The books and records of the Court of Appeal for the Parish of Orleans shall be transferred to, and all appeals held to be cases pending in the Court of Appeals herein provided for, and without the formality of being renumbered or docketed, and the same rule shall apply to cases pending in the Third City Court of New Orleans upon the organization of the Second City Court of New Orleans as hereinbefore provided. Upon the organization of the First City Court of New Orleans, as hereinbefore provided, all books, records and archives of the First, Second and Fourth City Courts of New Orleans, as now constituted, and of the clerks and constables thereof, and all suits, orders and process issued from and in course of execution under the authority of said courts, shall be transferred thereto, and all cases pending in said courts shall be redocketed and numbered in said First City Court, upon application of any of the parties in interest, and without cost to them.

The laws regulating the sessions of and practice in the Civil and Criminal District Courts for the Parish of Orleans, and the City Courts of New Orleans, which may be in force at the time of the adoption of this Constitution, shall, if not in conflict herewith, remain in force until otherwise provided by the General Assembly.

Art. 151. All cases on appeal from the City Courts of New Orleans to the Civil District Court, upon the adoption of this Constitution, shall remain and be tried in said Civil District Court.

Art. 152. The recorders of the City of New Orleans who may be serving at the time of the adoption of this Constitution, shall, unless removed for cause, continue in exercise of their functions and jurisdiction, conformably to existing laws, until otherwise provided, except in so far as such functions and jurisdiction may be affected by the provisions of this Constitution which confer appellate and supervisory jurisdiction on the Criminal District Court and original jurisdiction in certain matters on the City Criminal Courts.

Art. 153. The election of judges and other officers for the Parish of Orleans and City of New Orleans, herein provided for, the time of which is not specially fixed, shall be held at the time of the parochial and municipal elections.

Art. 154. Until otherwise provided by law, the costs to be paid clerks, sheriffs, constables, recorder of mortgages and register of conveyances, shall be as now fixed, except that in no case shall the costs of filing appeals from the City Courts exceed the sum of five dollars.

Art. 155. The General Assembly shall grade all misdemeanors and minor offenses against the State, and shall fix the minimum and maximum penalties therefor.

Art. 156. All valid warrants issued for salaries and authorized expenses of the offices of the clerk of the Civil District Court, register of conveyances and recorder of mortgages for the Parish of Orleans, of the clerks of the City Courts of the City of New Orleans, and for salaries of the clerks of the Court of Appeal, which are payable out of the special judicial expense fund provided for by Article 146 of the Constitution of 1879, as amended, and which shall be outstanding and unpaid at the date of the adoption of this Constitution, or which shall be issued for the current month in which this Constitution is adopted, are hereby declared to be valid and subsisting claims against the revenues of the respective offices upon which said fund was made dependent.

The holders of said warrants may present them within six months after the adoption of this Constitution to the Board of Liquidation of the City Debt, and receive therefor the bonds hereinafter authorized to be issued; and the City of New Orleans is required, within three months from the adoption of this Constitution, to provide for said warrants or claims, by the issuance of bonds in the sum of two hundred and twenty-five thousand dollars, or so much thereof as may be necessary; said bonds shall be for the face value of said warrants, in such denominations as the said Board of Liquidation shall recommend, and shall be dated July 1, 1898, and made payable twenty-five years after date, or earlier, at the option of said board, and shall bear four per cent. per annum interest, payable semi-annually, and represented by interest coupons attached thereto, the first of said coupons payable January 1, 1899; said bonds to be known as Judicial Expense Fund Bonds, and to be signed by the Mayor and Comptroller of the City of New Orleans, and delivered to the Board of Liquidation of the City Debt and shall be countersigned by the president and secretary of said board and issued by said board to the holders of said warrants upon surrender of same. Neither the State of Louisiana nor the City of New Orleans shall ever be liable for the payment of said bonds nor the interest thereon, except from the special fund herein provided for, and any appropriation or other provision therefor made by the State or city shall be null and void.

There shall be stamped across the face of said bonds the words: "Issued in accordance with Article 156 of the Constitution of Louisiana of 1898."

The clerk of the Civil District Court, register of conveyances and recorder of mortgages for the Parish of Orleans, and the clerks of the City Courts of New Orleans, shall keep accurate and detailed accounts in books to be used exclusively for that purpose, of all fees and charges collected in their offices, respectively; and they shall furnish, daily, to the city comptroller, transcripts of said accounts duly certified by them or by their authority, and said officers shall also daily pay into the treasury of the City of New Orleans the whole amount of fees and charges so collected.

From the amount thus paid into the City Treasury, the Treasurer

shall set apart and reserve twenty per cent. out of which shall first be paid the expenses necessary for the preparation and execution of the aforesaid bonds, and thereafter the same shall be used solely and exclusively to retire the bonds issued in payment of said Judicial Expense Fund Warrants and interest thereon, and the certificates of the comptroller hereinafter authorized; and upon the second Tuesday in December and June of every year the said Treasurer shall pay said amounts so reserved, and also the amounts received from the Civil Sheriff, to the Board of Liquidation of the City Debt, until all the bonds herein authorized have been retired or paid; and on the second Tuesday in February and August of every year, said Board of Liquidation, in accordance with rules to be adopted and made public by it, shall, after paying the semi-annual interest on said bonds, purchase or redeem with such money thus set apart as may have accumulated, and with the surplus of the remaining eighty per cent. as hereinafter provided, as many of said bonds as said money will buy or redeem, preference being given to holders offering at the lowest rate; and all such bonds so purchased or redeemed shall be by said Board of Liquidation immediately canceled, and a record made thereof.

From the remaining eighty per cent. of said fund there shall be paid monthly the current salaries and expenses of the offices from which same is derived, including the salary of the docket and minute clerks of the Court of Appeal, as now constituted and until the election of the clerk of the said court, as above provided, together with such authorized expenses of said offices as are not required to be paid by the City of New Orleans; and the surplus of said eighty per cent., if any, shall be paid by the Treasurer to the said Board of Liquidation, and shall be used to redeem or pay said bonds and certificates as hereinbefore and hereinafter provided.

But if said eighty per cent. during the six months ending July 31, or January 31 of any year, should prove inadequate to pay said salaries and expenses, the comptroller shall prorate the deficit among those entitled to payment, and shall issue certificates therefor in sums not less than ten dollars, which shall bear interest at the rate of four per cent. per annum from date, and shall be paid from the funds herein set apart and reserved only after all the bonds issued in payment of outstanding warrants shall have first been redeemed or paid.

All disbursements from said fund for stationery shall be made upon the requisitions of the officers requiring same; said requisitions to be approved by the Mayor of the City of New Orleans; and in all cases such disbursements and all salaries shall be paid by the treasurer of the City of New Orleans upon warrants drawn against said fund by the comptroller of said city, approved, so far as the Civil District Court is concerned by the presiding judge thereof. for the office of the recorder of mortgages and the office of the register of conveyances, by the Mayor of the City of New Orleans, and for the offices of the respective City Courts by the judge or judges thereof, and for the officers of the Court of Appeal by one of the judges thereof.

Until the full and final payment of all of said bonds and certificates hereinbefore provided for, the salaries of the employes of the various offices hereinafter named shall remain as now fixed by law, and there shall be no increase in the number of employes now authorized by law for the offices of recorder of mortgages or register of conveyances, unless otherwise ordered by the Civil District Court sitting *en banc*; and the number of employes of the Civil District Court shall be as determined by a majority of the judges thereof.

The clerks of the First and Second City Courts, until the organization of the City Courts hereinbefore provided for, may each appoint with the approval of the judge thereof, an additional deputy clerk at fifty dollars per month, but no other employes, nor larger salaries than those now fixed by law, shall be allowed to the City Courts.

The said Board of Liquidation hereinbefore named shall have the right to reject any and all bids made for the redemption of bonds issued as hereinabove provided, and should there be no bids, or none be accepted, then said Board of Liquidation, on the second Tuesday in February and August of each year, with whatever amount has been paid to said Board by the Treasurer as herein provided, shall, after paying the interest, pay said bonds in numerical order.

After the payment of all of said bonds, the twenty per cent. reserve herein provided, and any surplus of the remaining eighty per cent. shall be used by the City Treasurer in paying the certificates herein provided for, if any, in the order of their issue. When said Judicial Expense Fund Bonds and Comptroller's certificates, if any of the latter shall be issued, shall have been retired and canceled, the salaries and expenses of the various offices affected by this article and the revenue of said offices shall be regulated and disposed of as may be determined by the General Assembly.

This article shall take effect from the last day of the current month in which this Constitution is adopted, and all amounts arising from the Judicial Expense Fund, which shall remain in the hands of the State Treasurer on that date, shall be paid by him to the Board of Liquidation of the City Debt, and be used by said board as part of the funds hereinabove referred to.

Art. 157. Vacancies occurring from any cause in the judicial offices of the Parish of Orleans or City of New Orleans, shall be filled by appointment by the Governor, with the advice and consent of the Senate, for the unexpired term.

Art. 158. The fact that the officers and deputies herein provided for are paid by the City of New Orleans shall not make them officers or employes thereof.

GENERAL PROVISIONS.

Art. 159. No person shall be permitted to act as a juror, who, in due course of law, shall have been convicted of treason, perjury, forgery, bribery or other crime punishable by imprisonment in the penitentiary, or who shall be under interdiction.

Art. 160. Members of the General Assembly and all officers, be-

fore entering upon the duties of their respective offices, shall take the following oath or affirmation:

"I (A. B.) do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of this State; and that I will faithfully and impartially discharge and perform all the duties incumbent on me as _____, according to the best of my ability and understanding. So help me God."

Art. 161. The seat of government shall be and remain at the City of Baton Rouge.

Art. 162. Treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason except on the testimony of two witnesses to the same overt act, on his confession in open Court.

Art. 163. All civil officers shall be removable by an address of two-thirds of the members elected to each House of the General Assembly, except those whose removal is otherwise provided for by this Constitution.

Art. 164. No member of Congress, nor person holding or exercising any office of trust or profit under the United States, or any State, or under any foreign power, shall be eligible as a member of the General Assembly, or hold or exercise any office of trust or profit under the State.

Art. 165. The laws, public records, and the judicial and legislative written proceedings of the State, shall be promulgated, preserved and conducted in the English language; but the General Assembly may provide for the publication of the laws in the French language, and provide that judicial advertisements, in certain designated cities and parishes, shall also be made in that language.

Art. 166. No ex-post facto law, nor any law impairing the obligations of contracts, shall be passed, nor vested rights be divested, unless for purposes of public utility, and for adequate compensation previously made.

Art. 167. Private property shall not be taken nor damaged for public purposes without just and adequate compensation being first paid.

Art. 168. No power of suspending the laws of this State shall be exercised unless by the General Assembly, or by its authority.

Art. 169. The General Assembly shall provide by law for change of venue in civil and criminal cases.

Art. 170. No person shall hold or exercise, at the same time, more than one office of trust or profit, except that of justice of the peace or notary public.

Art. 171. The General Assembly may determine the mode of filling vacancies in all offices, for the filling of which provision is not made in this Constitution.

Art. 172. All officers shall continue to discharge the duties of their offices until their successors shall have been inducted into office, except in case of impeachment or suspension.

Art. 173. The military shall be in subordination to the civil power,

and no soldier shall, in time of peace, be quartered in any house without the consent of the owner.

Art. 174. The General Assembly shall make it obligatory upon every parish to support all infirm, sick, and disabled paupers residing within its limits; provided, that every municipal corporation to which the powers of the police jury do not extend, shall support its own infirm, sick and disabled paupers.

Art. 175. No soldier, sailor or marine, in the service of the United States, shall hereafter acquire a domicile in this State by reason of being stationed or doing duty in the same.

Art. 176. It shall be the duty of the General Assembly to pass such laws as may be proper and necessary to decide differences by arbitration.

Art. 177. The powers of the courts to punish for contempt shall be limited by law.

Art. 178. Lotteries, and the sale of lottery tickets, are prohibited in this State.

Art. 179. In all proceedings or indictments for libel, the truth thereof may be given in evidence. The jury in all criminal cases shall be the judges of the law and of the facts on the question of guilt or innocence, having been charged as to the law applicable to the case by the presiding judge.

Art. 180. No officer whose salary is fixed by the Constitution shall be allowed any fees or perquisites of office, except where otherwise provided for by this Constitution.

Art. 181. The regulation of the sale of alcoholic or spirituous liquors is declared a police regulation, and the General Assembly may enact laws regulating their sale and use.

Art. 182. No person who, at any time, may have been a collector of taxes, whether State, parish or municipal, or who may have been otherwise entrusted with public money, shall be eligible to the General Assembly, or to any office of honor, profit or trust under the State government, or any parish, or municipality thereof, until he shall have obtained a discharge for the amount of such collections, and for all public moneys with which he may have been entrusted; and the General Assembly is empowered to enact laws providing for the suspension of public officials charged with the collection of public money when such officials fail to account for the same.

Art. 183. Any person who shall, directly or indirectly, offer or give any sum or sums of money, bribe, present, reward, promise or any other thing to any officer, State, parochial or municipal, or to any member or officer of the General Assembly, with the intent to induce or influence such officer or member of the General Assembly to appoint any person to office, to vote or exercise any power in him vested, or to perform any duty of him required, the person giving or offering to give, and the officer or member of the General Assembly so receiving any money, bribe, present, reward, promise, contract, obligation or security, with intent aforesaid, shall be guilty of bribery, and upon being found guilty thereof by any court of competent jurisdiction, or by either house of the General Assembly of which he may be a member or officer, shall be forever disqualified

from holding any office, State, parochial or municipal, and shall be forever ineligible to a seat in the General Assembly; provided that this shall not be so construed so as to prevent the General Assembly from enacting additional penalties.

Art. 184. Any person may be compelled to testify in any lawful proceeding against any one who may be charged with having committed the offence of bribery, and shall not be permitted to withhold his testimony upon the ground that it may criminate him or subject him to public infamy; but such testimony shall not afterwards be used against him in any judicial proceedings, except for perjury in giving such testimony.

Art. 185. The General Assembly shall pass laws to protect laborers on buildings, streets, roads, railroads, canals and other similar works against the failure of contractors and subcontractors to pay their current wages when due, and to make the corporation, company or individual for whose benefit the work is done responsible for their ultimate payment.

Art. 186. No mortgage or privilege on immovable property shall affect third persons unless recorded or registered in the parish where the property is situated, in the manner and within the time as is now or may be prescribed by law, except privileges for expenses of last illness and privileges for taxes, State, parish or municipal; provided, such tax liens, mortgages and privileges shall lapse in three years from the 31st day of December in the year in which the taxes are levied, and whether now or hereafter recorded.

Art. 187. Privileges on movable property shall exist without registration of the same, except in such cases as the General Assembly may prescribe by law.

Art. 188. Gambling is a vice, and the Legislature shall pass laws to suppress it.

Art. 189. The pernicious practice of dealing or gambling in futures on agricultural products or articles of necessity, where the intention of the parties is not to make an honest and *bona fide* delivery, is declared to be against public policy; and the Legislature shall pass laws to suppress it.

Art. 190. It shall be unlawful for persons or corporations, or their legal representatives, to combine or conspire together, or to unite or pool their interests for the purpose of forcing up or down the price of any agricultural product or article of necessity for speculative purposes; and the Legislature shall pass laws to suppress it.

Art. 191. No member of the General Assembly, or public officer, or person elected or appointed to a public office under the laws of this State, shall directly, or indirectly, ask, demand, accept, receive, or consent to receive, for his own use or benefit, or for the use or benefit of another, any free pass, free transportation, franking privilege, or discrimination in passenger, telegraph, or telephone rates, from any person or corporation, or make use of the same himself or in conjunction with another.

Any person who violates any provision of this Article shall forfeit his office, at the suit of the Attorney General, or the District Attor-

ney, to be brought at the domicile of the defendant, and shall be subject to such further penalty as may be prescribed by law.

Any corporation, or officer, or agent thereof, who shall give, or offer, or promise, to a public officer any such free pass, free transportation, franking privilege, or discrimination, shall be liable to punishment for each offence by a fine of five hundred dollars, to be recovered at the suit of the Attorney General, or District Attorney, to be brought at the domicile of the officer to whom such free pass, free transportation, franking privilege, or discrimination, was given, offered, or promised.

No person, or officer, or agent of a corporation, giving any such free pass, free transportation, franking privilege, or discrimination, hereby prohibited, shall be privileged from testifying in relation thereto; but he shall not be liable to civil or criminal prosecution therefor, if he shall testify to the giving of the same.

Art. 192. Whenever the General Assembly shall authorize a suit against the State it shall provide in the act authorizing the same, that such suit be instituted before the District Court at the State Capital; that citation to answer such suit shall be served both upon the Governor and the Attorney General; that the Supreme Court of the State shall have appellate jurisdiction in such suit, without regard to the amount involved; that the only object of such suit, and the only effect of the judgment therein, shall be a judicial interpretation of the legal rights of the parties for the consideration of the Legislature in making appropriations; that the burden of proof shall rest upon the plaintiff or claimant to show that the claim sued upon is a legal and valid obligation of the State, incurred in strict conformity to law, not in violation of the Constitution of the State or of the United States, and for a valid consideration, and that all these things shall be affirmatively declared by the Supreme Court before any judgment is recognized for any purpose against the State.

Art. 193. Prescriptions shall not run against the State in any Civil matter, unless otherwise provided in this Constitution, or expressly by law.

Art. 194. There shall be appointed by the Governor, by and with the advice and consent of the Senate, a State Examiner of State Banks, who shall be an expert accountant, and who shall make examinations of all State banks at least twice in every year. His term of office shall be four years and the Legislature shall define his duties and fix his compensation.

Art. 195. The New Basin Canal and Shell Road, and their appurtenances, shall not be leased, nor alienated, nor shall the Carondelet Canal and Bayou St. John, and their appurtenances, be leased, or alienated when they shall come into the possession of the State.

Art. 196. The General Assembly may authorize the employment under State supervision and the proper officers and employes of the State, of convicts on public roads or other public works, or convict farms, or in manufactories owned or controlled by the State, under such provisions and restrictions as may be imposed by law, and shall enact laws necessary to carry these provisions into effect; and no convict sentenced to the State penitentiary shall ever be leased, or

hired to any person or persons, or corporation, private or public, or quasi-public, or board, save as herein authorized. This article shall take effect upon the expiration of the penitentiary lease, made pursuant to Act 114, approved July 10th, 1890.

Suffrage and Elections.

Art. 197. Every male citizen of this State and of the United States, native born or naturalized, not less than twenty-one years of age, and possessing the following qualifications, shall be an elector, and shall be entitled to vote at any election in this State by the people, except as may be herein otherwise provided.

Section 1. He shall have been an actual *bona fide* resident of this State for two years, of the parish one year and of the precinct in which he offers to vote six months next preceding the election; provided, that removal from one precinct to another in the same parish shall not operate to deprive any person of the right to vote in the precinct from which he has removed, until six months after such removal.

Sec. 2. He shall have been at the time he offers to vote legally enrolled as a registered voter on his personal application, in accordance with the provisions of this Constitution, and the laws enacted thereunder.

The qualifications of voters and the registration laws in force prior to the adoption of this Constitution shall remain in force until December 31, 1898, at which date all the provisions of this Constitution, relative to suffrage, registration and election, except as hereinafter otherwise provided, shall go into effect, and the General Assembly shall, and is hereby directed, at its regular session in 1898, to enact a general registration law to carry into effect the provisions of this Constitution relative to the qualifications and registration of voters.

Sec. 3. He shall be able to read and write, and shall demonstrate his ability to do so when he applies for registration, by making, under oath administered by the registration officer or his deputy, written application therefor, in the English language, or in his mother tongue, which application shall contain the essential facts necessary to show that he is entitled to register and vote, and shall be entirely written, dated and signed by him, in the presence of the registration officer or his deputy, without assistance or suggestion from any person or any memorandum whatever, except the form of application hereinafter set forth; provided, however, that if the applicant be unable to write his application in the English language, he shall have the right, if he so demands, to write the same in his mother tongue from the dictation of an interpreter; and if the applicant is unable to write his application by reason of physical disability, the same shall be written at his dictation by the registration officer or his deputy, upon his oath of such disability. The application for registration, above provided for, shall be a copy of the following form, with the proper names, dates and numbers substituted for the blanks appearing therein, to-wit:

I am a citizen of the State of Louisiana. My name is I was born in the State (or country) of, parish (or county of), on the day of, in the year I am now years, months and days of age. I have resided in this State since, in this parish, and in precinct No., of ward No., of this parish, since, and I am not disfranchised by any provision of the Constitution of this State.

Sec. 4. If he be not able to read and write, as provided by Sec. 3 of this article, then he shall be entitled to register and vote if he shall, at the time he offers to register, be the *bona fide* owner of property assessed to him in this State at a valuation of not less than three hundred dollars on the assessment roll of the current year in which he offers to register, or on the roll of the preceding year, if the roll of the current year shall not then have been completed and filed, and on which, if such property be personal only, all taxes due shall have been paid. The applicant for registration under this section shall make oath before the registration officer or his deputy, that he is a citizen of the United States and of this State, over the age of twenty-one years; that he possesses the qualifications prescribed in Sec. 1 of this article, and that he is the owner of property assessed in this State to him at a valuation of not less than three hundred dollars, and if such property be personal only, that all taxes due thereon have been paid.

Sec. 5. No male person who was on January 1, 1867, or at any date prior thereto, entitled to vote under the Constitution or statutes of any State of the United States, wherein he then resided, and no son or grandson of any such person not less than twenty-one years of age at the date of the adoption of this Constitution, and no male person of foreign birth, who was naturalized prior to the first day of January, 1898, shall be denied the right to register and vote in this State by reason of his failure to possess the educational or property qualifications prescribed by this Constitution; provided he shall have resided in this State for five years next preceding the date at which he shall apply for registration, and shall have registered in accordance with the terms of this article prior to September 1, 1898, and no person shall be entitled to register under this section after said date.

Every person claiming the benefit of this section shall make application to the proper registration officer, or his deputy, for registration, and he shall make oath before such registration officer or his deputy, in the form following, viz.: I am a citizen of the United States and of this State, over the age of twenty-one years; I have resided in this State for five years next preceding this date. I was on the day of, entitled to vote under the Constitution or statutes of the State of, herein I then resided (or, I am the son, or grandson) of, who was on the day of entitled to vote under the Constitution or statutes of the State of, wherein he then resided, and I desire to avail myself of the privileges conferred by Section 5 of Article 197 of the Constitution of this State.

A separate registration of voters applying under this section shall be made by the registration officers of every parish, and for

this purpose the registration officer of every parish shall keep his office open daily, Sundays and legal holidays excepted, from May 16, 1898, until August 31, 1898, both included, during the hours prescribed by Act No. 89 of the General Assembly of 1896. In every parish, except the parish of Orleans, he shall keep his office at the courthouse at least during the month of May, June and August, and during the month of July he shall keep it for at least one day at or near each polling place, giving thirty days' notice thereof by publication.

The registration of voters under this section shall close on the 31st day of August, 1898, and immediately thereafter the registration officer of every parish shall make a sworn copy, in duplicate, of the list of persons registered under this section, showing in detail whether the applicant registered as a voter of 1867, or prior thereto, or as the son of such voter, or as the grandson of such voter, and deposit one of said duplicates in the office of the Secretary of State, to be by him recorded and preserved as a part of the permanent records of his office, and the other of said duplicates shall be by him filed in the office of the clerk of the District Court of the parish, and in the parish of Orleans, in the office of the Recorder of Mortgages, there to remain a permanent record.

All persons whose names appear on said registration lists shall be admitted to register for all elections in this State without possessing the educational or property qualification prescribed by this Constitution, unless otherwise disqualified, and all persons who do not by personal application claim exemption from the provisions of sections 3 and 4 of this article before September 1, 1898, shall be forever denied the right to do so.

The Legislature shall, at its first session after the adoption of this Constitution, provide the manner in which persons whose names appear upon said registration list shall hereafter register, which mode may be different from that required for persons registering under the other sections of this article; and shall also provide a remedy whereby subsequently to the close of said registration on August 31, 1898, the names of any persons who may have obtained registration under this section by false statements of fact or other fraud, shall by appropriate proceedings be stricken from said roll.

Art. 198. No person less than sixty years of age shall be permitted to vote at any election in this State who shall not, in addition to the qualifications above described, have paid on or before the 31st day of December, of each year, for the two years preceding the year in which he offers to vote, a poll tax of one dollar per annum, to be used exclusively in aid of the public schools of the parish in which such tax shall have been collected; which tax is hereby imposed on every male resident of this State between the age of twenty-one and sixty years. Poll taxes shall be a lien only upon assessed property, and no process shall issue to enforce the collection of the same except against assessed property.

Every person liable for such tax shall, before being allowed to vote, exhibit to the Commissioners of Election his poll tax receipts for two years, issued on the official form, or duplicates thereof, in

the event of loss, or proof of payment of such poll taxes may be made by a certificate of the tax collector, which shall be sent to the Commissioners of the several voting precincts, showing a list of those who have paid said two years' poll taxes as above provided, and the dates of payment. It is hereby declared to be forgery, and punishable as such, for any tax collector or other person, to antedate, or alter a poll tax receipt. Any person who shall pay the poll tax of another or advance him money for that purpose, in order to influence his vote, shall be guilty of bribery and punished accordingly. The provisions of this section as to the payment of poll taxes shall not apply to persons who are deaf and dumb, or blind, nor to persons under twenty-three years of age, who have paid all poll taxes assessed against them. This section shall not go into operation until after the general State election to be held in the year 1900, and the Legislature elected in the year 1908 shall have authority to repeal or modify the same.

Art. 199. Upon all questions submitted to the taxpayers, as such, of any municipal or other political subdivision of this State, the qualifications of such taxpayers as voters shall be those of age and residence prescribed by this article, and women taxpayers shall have the right to vote at all such elections, without registration, in person or by their agents, authorized in writing; but all other persons voting at such elections shall be registered voters.

Art. 200. No person shall vote at any primary election, or in any convention or other political assembly held for the purpose of nominating any candidate for public office, unless he is at the time a registered voter. And in all political conventions in this State, the apportionment of representation shall be on the basis of population.

Art. 201. Any person possessing the qualifications prescribed by Sec. 3 or 4 of Art. 197 of this Constitution, who may be denied registration, shall have the right to apply for relief to the District Court having jurisdiction of civil causes for the parish in which he offers to register, and the party cast in said suit shall have the right of appeal to the Supreme Court; and any citizen of the State shall have a like right to apply to said courts, to have stricken off any names illegally placed on said registration rolls under Secs. 3 and 4 of Art. 197, and such applications and appeal shall be tried by said courts by preference, in open court or at chambers. The General Assembly shall provide by law for such applications and appeals without cost, and for the prosecution of all persons charged with illegal or fraudulent registration or voting, or any other crime or offence against the registration or election or primary election laws.

Art. 202. The following persons shall not be permitted to register, vote or hold any office or appointment of honor, trust or profit in this State, to-wit: Those who have been convicted of any crime punishable by imprisonment in the penitentiary, and not afterwards pardoned with express restoration of franchise; those who are inmates of any charitable institution, except the Soldiers' Home; those actually confined in any public prison; all interdicted persons, and all persons notoriously insane or idiotic, whether interdicted or not.

Art. 203. In all elections by the people, the electors shall vote by ballot, and the ballots cast shall be publicly counted. In all elections by persons in a representative capacity, the vote shall be *viva voce*.

Art. 204. Electors shall, in all cases except treason, felony or breach of the peace, be privileged from arrest during their attendance on elections, and in going to and returning from the same.

Art. 205. The General Assembly shall by law forbid the giving or selling of intoxicating drinks, on the day of any election, or primary election, within one mile of any polling place.

Art. 206. Until otherwise provided by law, the general State election shall be held once every four years on the Tuesday next following the third Monday in April.

Presidential electors and members of Congress shall be chosen or elected in the manner and at the time prescribed by law.

Art. 207. Parochial elections, except in the city of New Orleans, shall be held on the same day as the general State election, and not oftener than once in four years.

In the city of New Orleans parochial and municipal elections shall be held on the Tuesday following the first Monday of November, 1899, and of every fourth year thereafter, but the General Assembly may change the date of said election after the year 1899; provided, that the parochial and municipal elections shall be held together, and shall always be on a day separate and apart from the general State election and not oftener than once in four years. The municipal and parochial officers in the city of New Orleans shall take their offices on the first Monday in the month of May following their election, until otherwise provided by law.

Art. 208. For the purpose of voting, no person shall be deemed to have gained a residence, by reason of his presence, or lost it by reason of his absence, while employed in the service, either civil or military, of this State or of the United States; or while engaged in the navigation of the waters of the State or of the United States; or of the high seas; or while a student of any institution of learning.

Art. 209. The General Assembly shall provide by law for the trial and determination of contested elections of all public officers, whether State, judicial, parochial or municipal (except Governor and Lieutenant Governor), which trials shall be by the courts of law and at the domicile of the party defendant.

Art. 210. No person shall be eligible to any office, State, judicial, parochial, municipal or ward, who is not a citizen of this State and a duly qualified elector of the State, judicial district, parish, municipality or ward, wherein the functions of said office are to be performed. And whenever any officer, State, judicial, parochial, municipal or ward, may change his residence from this State, or from the district, parish, municipality or ward in which he holds such office, the same shall thereby be vacated, any declaration of retention of domicile to the contrary notwithstanding.

Art. 211. Returns of elections for all civil officers who are to be commissioned by the Governor shall be made to the Secretary of State, unless otherwise provided in this Constitution.

Art. 212. All elections by the people, except primary elections and municipal elections in towns having a population of less than 2500, when such elections are not held at the same time as general State elections, shall be by official ballot, printed and distributed at the expense of the State; and, until otherwise provided by law, such ballots shall have printed thereon, and at the head and immediately preceding the list of names of the candidates of each political party or nominating paper, a specific and separate device by which the political party and the candidates of such political party, or nominating paper may be indicated. By stamping such device at the head of the list of candidates of each political party, or nominating paper, the voter may indicate that his vote is for the entire or straight ticket of the political party or nominating paper employing the particular device allotted to such political party, or nominating paper. When the voter does not desire to vote an entire or straight party ticket, he may vote for candidates of any political party or nominating paper, by stamping a blank space to be left opposite the name of each candidate on said official ballot.

The General Assembly shall provide some plan by which the voters may prepare their ballots' irsecrecy at the polls. This article shall not be construed so as to prevent the names of independent candidates from being printed on the ballots with a device; and names of candidates may be written on the ballot. These provisions shall not apply to elections for the imposition of special taxes, for which the General Assembly shall provide special laws.

Art. 213. Electors shall not be registered within thirty days next preceding any election at which they may offer to vote, but applications to the courts, and appeals may be heard and determined, and revision take place at any time prior to the election, and no person who, in respect to age and residence, would become entitled to vote within the said thirty days, shall be excluded from registration on account of his want of qualifications at the time of his application for registration.

Art. 214. The Legislature shall provide for the registration of voters throughout the State.

Art. 215. The Legislature shall enact laws to secure fairness in party primary elections, conventions, or other methods of naming party candidates.

Art. 216. In the trial of contested elections and in proceedings for the investigation of elections, and in all criminal trials under the election laws, no person shall be permitted to withhold his testimony on the grounds that he may criminate himself or subject himself to public infamy, but such testimony shall not be used against him in any judicial proceedings except for perjury in giving such testimony.

Impeachment and Removals from Office.

Art. 217. The Governor, Lieutenant Governor, Secretary of State, Auditor, Treasurer, Attorney General, Superintendent of Public Education, Railroad Commissioners and the judges of all the Courts of Record in this State shall be liable to impeachment for high

crimes and misdemeanors, for nonfeasance or malfeasance in office, for incompetency, for corruption, favoritism, extortion or oppression in office, or for gross misconduct, or habitual drunkenness.

Art. 218. The House of Representatives shall have the sole power of impeachment. All impeachments shall be tried by the Senate; when sitting for that purpose, the Senators shall be upon oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the Senators present. When the Governor of the State is on trial the Chief Justice or the senior Associate Justice of the Supreme Court shall preside.

The Senate may adjourn the trial of any impeachment from time to time, as it may deem proper, and may sit for the purpose of such trial whether the House of Representatives or the Legislature be in session or not.

Judgment in cases of impeachment shall extend only to removal from office and disqualification from holding any office of honor, trust or profit, under the State, but the party, whether convicted or acquitted, shall nevertheless be liable to prosecution, trial and punishment according to law.

Art. 219. All officers against whom articles of impeachment are preferred, except the Governor, shall be suspended from office during the pendency of such impeachment, and the appointing power shall make a provisional appointment to replace any suspended officer until the decision of the impeachment.

Art. 220. For any reasonable cause, whether sufficient for impeachment or not, the Governor shall remove any officer on the address of two-thirds of the members elected to each house of the General Assembly. In every such case, the cause or causes for which such removal may be required shall be stated at length in the address and inserted in the Journal of each house.

Art. 221. For any of the causes specified in Art. 217, judges of the Courts of Appeal, and of the District Courts throughout the State may be removed from office by judgment of the Supreme Court, which is hereby vested with original jurisdiction to try such causes. The suit for removal may be instituted by the Attorney General or District Attorney, whenever in his opinion sufficient cause exists therefor; and it is hereby made the duty of the Attorney General or District Attorney to institute such suit whenever instructed in writing by the Governor so to do, or on the written request and information of twenty-five citizens and taxpayers residing within the territorial limits of the district or circuit over which the judge against whom the suit is brought exercises the functions of his office. Such suits shall be tried after citation and ten days' delay for answering, in preference to all other suits, and whenever the court may be sitting; but the pendency of such suit shall not operate a suspension from office. In all cases where the officer sued, as above directed, shall be acquitted, and where the suit is instituted on the request and information of citizens, judgment shall be rendered jointly and in solido against the citizens signing the request, for all costs of the suit. Judgments in cases of removal under this article shall extend

not only to removals from office and disqualification from holding any office of honor, trust, or profit under the State, but also to disqualification for the practice of law, and the party, whether convicted or not, shall nevertheless be liable to prosecution, trial and punishment according to law.

Art. 222. For any of the causes enumerated in Art. 217, members of the State Board of Appraisers, except the Auditor, Railroad Commissioners, District Attorneys, Clerks of Court, Sheriffs, Coroners, Justices of the Peace, Judges of the City Courts and of other inferior courts of the city of New Orleans and elsewhere, and all other parish, municipal and ward officers, may be removed by judgment of the District Court of the domicile of such officer (in the parish of Orleans the Civil District Court). The District Attorney may, whenever in his opinion sufficient cause exists therefor, institute such suit, and it shall be his duty (except when the suit is to be brought against himself) to institute such suit on the written request and information of twenty-five resident citizens and taxpayers, in the case of members of the State Board of Appraisers, Railroad Commissioners, district, parish or municipal officers, and of ten resident citizens and taxpayers in the case of ward officers. Such suit shall be brought against a District Attorney upon such written request and information by the District Attorney of an adjoining district, or by counsel appointed by the judge for that purpose. In all suits instituted under this article the defendant, the State and the citizens and taxpayers, on whose information and at whose request such suit may have been brought, or any one of them, shall have the right to appeal, both on the law and the facts, from the judgment of the court. In all cases where the officer sued, as above directed, shall be acquitted, judgment shall be rendered jointly and *in solido* against the citizens signing the request, for all costs of the suit.

In cases against members of the State Board of Appraisers, Railroad Commissioners, District Attorneys, Clerks and Sheriffs, the appeal shall be to the Supreme Court, and in cases against all other officers the appeal shall be to the Court of Appeal of the proper circuit.

Such appeals shall be returnable within ten days to the appellate court wherever it may be sitting or wherever it may hold its next session, and may be transferred by order of the judges of said court to another parish within their circuit, and such appeals shall be tried by preference over all others. In case of the refusal or neglect of the District Attorney or Attorney General to institute and prosecute any suit provided for in this and the preceding article, the citizens and taxpayers making the request, or any one of them, shall have the right by mandamus to compel him to perform such duty.

The institution and pendency of suits brought under this article shall not operate a suspension of the defendant from office.

Art. 223. On the recommendation of the Auditor or the police jury of any parish the Governor may suspend any officer charged with the collection or custody of public funds when in arrears.

Revenue and Taxation.

Art. 224. The taxing power may be exercised by the General Assembly for State purposes, and by parishes and municipal corporations and public boards, under authority granted to them by the General Assembly, for parish, municipal and local purposes strictly public in their nature.

Art. 225. Taxation shall be equal and uniform throughout the territorial limits of the authority levying the tax, and all property shall be taxed in proportion to its value, to be ascertained as directed by law; provided, the assessment of all property shall never exceed the actual cash value thereof; and provided, further, that the taxpayers shall have the right of testing the correctness of their assessments before the courts of justice. In order to arrive at this equality and uniformity the General Assembly shall, at its first session after the adoption of this Constitution, provide a system of equality and uniformity in assessments based upon the relative value of property in the different portions of the State. The valuations put upon property for the purposes of State taxation shall be taken as the proper valuation for the purposes of local taxation, in every subdivision of the State.

Art. 226. There shall be a State Board of Appraisers, composed of the Auditor, and six other members, to be elected for four years by the Governor, Lieutenant Governor, Treasurer, Attorney General, and Secretary of State, one from each Congressional District, whose duty it shall be to assess the property belonging to corporations, associations and individuals employed in railway, telegraph, telephone, sleeping car and express business. The General Assembly shall fix the compensation of said board.

Art. 227. The taxing power shall be exercised only to carry on and maintain the government of the State and the public institutions thereof, to educate the children of the State, to preserve the public health, to pay the principal, and interest of the public debt, to suppress insurrection, to repel invasion or defend the State in time of war, to provide pensions for indigent Confederate soldiers and sailors, and their widows, to establish markers or monuments upon the battlefields of the country commemorative of the services of Louisiana soldiers on such fields, to maintain a memorial hall in New Orleans for the collection and preservation of relics and memorials of the late civil war, and for levee purposes, as hereinafter provided.

Art. 228. The power to tax corporations and corporate property shall never be surrendered nor suspended by act of the General Assembly.

Art. 229. The General Assembly may levy a license tax, and in such case shall graduate the amount of such tax to be collected from the persons pursuing the several trades, professions, vocations, and callings. All persons, associations of persons and corporations pursuing any trade, profession, business or calling, may be rendered liable to such tax, except clerks, laborers, clergymen, school teachers, those engaged in mechanical, agricultural, horticultural, and

mining pursuits, and manufacturers other than those of distilled, alcoholic or malt liquors, tobacco, cigars, and cotton seed oil. No political corporation shall impose a greater license tax than is imposed by the General Assembly for State purposes. This restriction shall not apply to dealers in distilled, alcoholic or malt liquors.

The General Assembly shall have authority to provide that municipalities, levying license taxes equal in amount to those levied by police juries for parochial purposes, shall be exempted from the payment of such parochial licenses.

Art. 230. The following shall be exempt from taxation, and no other, viz.: All public property, places of religious worship, or burial, all charitable institutions, all buildings and property used exclusively for public monuments or historical collections, colleges and other school purposes, the real and personal estate of any public library, and that of any other library association used by or connected with such library, all books and philosophical apparatus and all paintings and statuary of any company or association kept in a public hall; provided, the property so exempted be not leased for purposes of private or corporate profit and income. There shall also be exempt from taxation household property to the value of five hundred dollars. There shall also be exempt from parochial and municipal taxation for a period of ten years from the 1st day of January, 1900, the capital, machinery and other property employed in mining operations, and in the manufacture of textile fabrics, yarns, rope, cordage, leather, shoes, harness, saddlery, hats, clothing, flour, machinery, articles of tin, copper and sheet iron, agricultural implements, and furniture and other articles of wood, marble or stone; soap, stationery, ink and paper, boat building and fertilizers and chemicals; provided, that not less than five hands are employed in any one factory; provided, that nothing herein contained shall affect the exemptions provided for by existing constitutional provisions.

There shall also be exempt from taxation for a period of ten years from the date of its completion any railroad or part of such railroad that may hereafter be constructed and completed prior to January 1, 1904; provided, that when aid has heretofore been voted by any parish, ward, or municipality to any railroad not yet constructed, such railroad shall not be entitled to the exemption from taxation herein established, unless it waives and relinquishes such aid or consents to a resubmission of the question of granting such aid to a vote of the property taxpayers of the parish, ward, or municipality, which has voted the same, if one-third of such property taxpayers petition for the same within six months after the adoption of this Constitution.

And provided, further, that this exemption shall not apply to double tracks, sidings, switches, depots or other improvements or betterments, which may be constructed by railroads now in operation within the State, other than extensions or new lines constructed by such railroads; nor shall the exemption hereinabove granted apply to any railroad or part of such railroad, the construction of which

was begun and the roadbed of which was substantially completed at the date of the adoption of this Constitution.

The property or real estate belonging to any military organization of the State of Louisiana which is used by the State National Guard or militia for military purposes, such as arsenals or armories, while so used, shall be exempt from taxation.

Art. 231. The General Assembly shall levy an annual poll tax of one dollar upon every male inhabitant in the State between the ages of twenty-one and sixty years, for the maintenance of the public schools in the parishes where collected.

Art. 232. The State tax on property for all purposes whatever, including expenses of government, schools, levees and interest, shall not exceed, in any one year, six mills on the dollar of its assessed valuation, and, except as otherwise provided in this Constitution, no parish, municipal or public board tax for all purposes whatsoever, shall exceed in any one year ten mills on the dollar of valuation; provided, that for giving additional support to public schools, and for the purpose of erecting and constructing public buildings, public school houses, bridges, wharves, levees, sewerage work and other works of permanent public improvement, the title to which shall be in the public, any parish, municipal corporation, ward or school district may levy a special tax in excess of said limitation, whenever the rate of such increase and the number of years it is to be levied and the purpose or purposes for which the tax is intended, shall have been submitted to a vote of the property taxpayers of such parish, municipality, ward or school district entitled to vote under the election laws of the State, and a majority of the same in numbers, and in value voting at such election shall have voted therefor.

Art. 233. There shall be no forfeiture of property for the non-payment of taxes, State, levee district, parochial or municipal, but at the expiration of the year in which said taxes are due the collector shall, without suit, and after giving notice to the delinquent in the manner to be provided by law, advertise for sale in the official journal of the parish, city or municipality, provided there be an official journal in such parish, city or municipality, the property on which the taxes are due in the manner provided for judicial sales, and on the day of sale he shall sell such portion of the property as the debtor shall point out; and in case the debtor shall not point out sufficient property, the collector shall, at once and without further delay, sell the least quantity of property which any bidder will buy for the amount of taxes, interest and costs. The sale shall be without appraisement, and the property sold shall be redeemable at any time for the space of one year, by paying the price given, including costs, and twenty per cent. thereon. No judgment annulling a tax sale shall have effect until the price and all taxes and costs paid, with ten per cent. per annum interest on the amount of the price and taxes paid from date of respective payments, be previously paid to the purchaser; provided, this shall not apply to sales annulled on account of taxes having been paid prior to the date of sale, or dual assessments. All deeds of sale made, or that may be made, by the

collectors of taxes, shall be received by courts in evidence as *prima facie* valid sales.

No sale of property for taxes shall be set aside for any cause, except on proof of dual assessment, or of payment of the taxes for which the property was sold prior to the date of the sale, unless the proceeding to annul is instituted within six months from service of notice of sale, which notice shall not be served until the time of redemption has expired, or within three years from the adoption of this Constitution, as to sales already made, and within three years from the date of recordation of the tax deed, as to sales made hereafter, if no notice is given. The manner of notice and form of proceedings to quiet tax titles shall be provided by law. Taxes on movables shall be collected by seizure and sale by the tax collector of the movable property of the delinquent, whether it be the property assessed or not, sufficient to pay the tax. Sale of such property shall be made at public auction, without appraisement, after ten days' advertisement, made within ten days from date of seizure, and shall be absolute and without redemption.

If the tax collector can find no corporeal movables of the delinquent to seize, he may levy on incorporeal rights, by notifying the debtor thereof, or he may proceed by summary rule in the courts to compel the delinquent to deliver up for sale property in his possession or under his control.

Art. 234. The tax shall be designated by the year in which it is collectable, and the tax on movable property shall be collected in the year in which the assessment is made.

Art. 235. The Legislature shall have power to levy, solely for the support of the public schools, a tax upon all inheritances, legacies and donations; provided, no direct inheritance, or donation to an ascendant or descendant, below ten thousand dollars in amount or value shall be so taxed; provided further, that no such tax shall exceed three per cent. for direct inheritances and donations to ascendants or descendants, and ten per cent. for collateral inheritances, and donations to collaterals or strangers; provided, bequests to educational, religious, or charitable institutions shall be exempt from this tax.

Art. 236. The tax provided for in the preceding article shall not be enforced when the property donated or inherited shall have borne its just proportion of taxes prior to the time of such donation or inheritance.

Art. 237. The Legislature shall pass no law postponing the payment of taxes, except in case of overflow, general conflagration, general destruction of crops, or other public calamity.

Art. 238. A levee system shall be maintained in the State, and a tax not to exceed one mill may be levied annually on all property subject to taxation, and shall be applied exclusively to the maintenance and repairs of levees.

Art. 239. The General Assembly may divide the State into Levee Districts, and provide for the appointment or election of Levee Commissioners in said districts, who shall, in the method and manner to be provided by law, have supervision of the erection, repair and

maintenance of the levees in said districts; to that effect the Levee Commissioners may levy a tax not to exceed ten mills on the taxable property situated within the alluvial portions of said districts subject to overflow: provided, that in case of necessity to raise additional funds for the purpose of constructing, preserving or repairing any levees protecting the lands of a district, the rate of taxation herein limited, may be increased, when the rate of such increase and the necessity and purpose for which it is intended shall have been submitted to a vote of the property taxpayers of such district, paying taxes for themselves, or in any representative capacity, whether resident or non-resident, on property situated within the alluvial portion of said district subject to overflow, and a majority of those in number and value, voting at such election, shall have voted therefor. The Board of Commissioners of the several levee districts, when authorized so to do by the State Board of Engineers, shall have full power and authority to contract with and permit any steam railroad corporation to construct, maintain, freely use and operate on the public levees a railroad track or tracks; the supervision, control and general police power over such levees, however, to remain in and with the several levee boards. Provided, that nothing herein contained shall be construed as divesting either the General Assembly or the municipal government of any incorporated town or city in this State of the jurisdiction, control, or police power now vested in them, or either of them; and provided further, that no right or privilege shall be granted to any one or more railroad companies which shall preclude like grants to other companies willing to contribute pro rata to the common expense incurred or to be incurred.

The several levee districts of the State, for the purpose of refunding the bonds heretofore issued by them under authority granted by the Legislature, and in order that they may negotiate to better advantage that portion of their authorized issue of bonds not yet disposed of, may issue bonds in lieu of said bonds outstanding or not yet disposed of. The Legislature shall pass an act to carry this provision into effect, but bonds issued under this provision shall not bear a rate of interest greater than five per cent, or be disposed of at less than par, and it shall not be obligatory on the holders of the said outstanding bonds to give up the same in exchange before the maturity thereof.

All the provisions of this article are held to apply to the levee district of which the city of New Orleans forms, or may hereafter form, a part; provided, that nothing herein shall be construed as affecting any existing legislation upon the subject of the taxing power of the commissioners of said district, or as affecting the power of the Legislature, under the Constitution of 1879, and the amendments thereto, with respect to such power.

Art. 240. The provisions of the above two articles shall cease to have effect whenever the Federal government shall assume permanent control and provide the ways and means for the maintenance of levees in this State. The Federal government is authorized to make such geological, topographical, hydrographical and hydrometrical

surveys and investigations within the State as may be necessary to carry into effect the act of Congress to provide for the appointment of a Mississippi River Commission for the improvement of said river, from the head of the Passes near its mouth to the headwaters, and to construct and protect such public works and improvements as may be ordered by Congress under the provisions of said act.

Art. 241. The General Assembly shall have power, with the concurrence of an adjacent State or States, to create levee districts composed of territory partly in this State and partly in an adjacent State or States, and the Levee Commissioners for such district or districts shall possess all the powers provided by Art. 239 of the Constitution.

Art. 242. Corporations, companies or associations organized or domiciled out of the State, but doing business therein, may be licensed and taxed by a mode different from that provided for home corporations or companies; provided, said different mode of license shall be uniform, upon a graduated system, and said different mode of taxation shall be equal and uniform as to all such corporations, companies or associations that transact the same kind of business.

Art. 243. All the articles and provisions of this Constitution regulating and relating to the collection of State taxes and tax sales shall also apply to and regulate the collection of parish, district, municipal, board and ward taxes.

Homestead Exemptions.

Art. 244. There shall be exempt from seizure and sale by any process whatever, except as herein provided, and without registration, the homestead, *bona fide*, owned by the debtor and occupied by him, consisting of lands, not exceeding one hundred and sixty acres, buildings and appurtenances, whether rural or urban, of every head of a family, or person having a mother or father, or a person or persons dependent on him or her for support, also two work horses, one wagon or cart, one yoke of oxen, two cows and calves, twenty-five head of hogs, or one thousand pounds of bacon or its equivalent in pork, whether these exempted objects be attached to a homestead or not, and on a farm the necessary quantity of corn and fodder for the current year, and the necessary farming implements to the value or two thousand dollars.

Provided, that in case the homestead exceeds two thousand dollars in value, the beneficiary shall be entitled to that amount in case a sale of the homestead under any legal process realizes more than that sum.

No husband shall have the benefit of a homestead, whose wife owns, and is in the actual enjoyment of property or means to the amount of two thousand dollars.

The benefit of this exemption may be claimed by the surviving spouse, or minor child or children, of a deceased beneficiary.

Art. 245. Rights to homesteads or exemptions, under laws or contracts, or obligations existing at the time of the adoption of this Constitution, shall not be impaired, repealed or affected by any provision of this Constitution, or any laws passed in pursuance thereof.

This exemption shall not apply to the following debts, to-wit:

1st. For the purchase price of property or any part thereof.

2d. For labor, money and material furnished for building, repairing or improving homesteads.

3d. For liabilities incurred by any public officer, or fiduciary, or any attorney at law, for money collected or received on deposit.

4th. For taxes or assessments.

5th. For rent which bears a privilege upon said property. No court or ministerial officer of this State shall ever have jurisdiction or authority to enforce any judgment, execution or decree against the property exempted as a homestead, except the debts above mentioned in numbers one, two, three, four and five of this article; provided, the property herein declared exempt shall not exceed in value two thousand dollars.

Art. 246. The right to sell any property that is exempt as homestead shall be preserved; but no sale shall destroy or impair any rights of creditors therein. Any person entitled to a homestead may waive the same, by signing with his wife, if she be not separated *a mensa et thoro*, and having recorded in the office of the Recorder of Mortgages of his parish, a written waiver of the same, in whole or in part. Such waiver may be either general or special, and shall have effect from the time of recording.

Art. 247. The articles of this Constitution relating to homesteads and exemption shall take effect on January 1, 1899. In the parish of Orleans, the homestead to be valid shall be recorded as is now, or may be, provided by law.

Public Education.

Art. 248. There shall be free public schools for the white and colored races, separately established by the General Assembly, throughout the State, for the education of all the children of the State between the ages of six and eighteen years: provided, that where kindergarten schools exist, children between the ages of four and six may be admitted into said schools. All funds raised by the State for the support of public schools, except the poll tax, shall be distributed to each parish in proportion to the number of children therein between the ages of six and eighteen years. The General Assembly, at its next session, shall provide for the enumeration of educable children.

Art. 249. There shall be elected by the qualified electors of the State a Superintendent of Public Education, who shall hold his office for a term of four years, and until his successor is qualified. His duties shall be prescribed by law, and he shall receive an annual salary of two thousand dollars. The aggregate annual expenses of his office, including his salary, shall not exceed the sum of four thousand dollars.

Art. 250. The General Assembly shall provide for the creation of a State Board, and Parish Boards of Education. The Parish Boards shall elect a Parish Superintendent of Education for their respective parishes, whose qualifications shall be fixed by the Legislature, and

who shall be ex-officio secretary of the Parish Board. The salary of the Parish Superintendent shall be provided for by the General Assembly, to be paid out of the public school funds accruing to the respective parishes.

Art. 251. The general exercises in the public schools shall be conducted in the English language; provided, that the French language may be taught in those parishes or localities where the French language predominates, if no additional expense is incurred thereby.

Art. 252. The funds derived from the collection of the poll tax shall be applied exclusively to the maintenance of the public schools as organized under this Constitution, and shall be applied exclusively to the support of the public schools in the parish in which the same shall be collected, and shall be accounted for and paid by the collecting officer directly to the treasurer of the local school board.

Art. 253. No funds raised for the support of the public schools of the State shall be appropriated to or used for the support of any private or sectarian school.

Art. 254. The school funds of the State shall consist of: 1st. Not less than one and one-quarter mills of the six mills tax levied and collected by the State. 2d. The proceeds of taxation for school purposes as provided by this Constitution. 3d. The interest on the proceeds of all public lands heretofore granted or to be granted by the United States for the support of the public schools, and the revenue derived from such lands as may still remain unsold. 4th. Of lands and other property heretofore or hereafter bequeathed, granted or donated to the State for school purposes. 5th. All funds and property, other than unimproved lands, bequeathed or granted to the State, not designated for any other purpose. 6th. The proceeds of vacant estates falling under the law to the State of Louisiana. 7th. The Legislature may appropriate to the same fund the proceeds of public lands not designated or set apart for any other purpose, and shall provide that every parish may levy a tax for the public schools therein, which shall not exceed the entire State tax, provided, that with such a tax the whole amount of parish taxes shall not exceed the limits of parish taxation fixed by this Constitution. The city of New Orleans shall make such appropriation for the support, maintenance and repair of the public schools of said city as it may deem proper, but not less than eight-tenths of one mill for any one year; and said schools shall also continue to receive from the Board of Liquidation of the City Debt, the amounts to which they are now entitled under the constitutional amendment, adopted in the year 1892.

Art. 255. The Louisiana State University and Agricultural and Mechanical College, founded upon the land grants of the United States to endow a seminary of learning and a college for the benefit of agriculture and the mechanic arts, now established and located in the city of Baton Rouge, is hereby recognized; and all revenues derived and to be derived from the seminary fund, the Agricultural and Mechanical College fund, and other funds or lands donated or to be donated by the United States to the State of Louisiana for the use of a

seminary of learning or of a college for the benefit of agriculture or the mechanic arts, shall be appropriated exclusively to the maintenance and support of said Louisiana State University and Agricultural and Mechanical College; and the General Assembly shall make such additional appropriations as may be necessary for its maintenance, support and improvement, and for the establishment, in connection with said institution, of such additional scientific or literary departments as the public necessities and the well being of the people of Louisiana may require; provided, that the appropriation shall not exceed fifteen thousand dollars per annum for its maintenance and support.

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

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

Art. 257. The debt due by the State to the free school fund is hereby declared to be the sum of one million one hundred and thirty thousand eight hundred and sixty-seven dollars and fifty-one cents in principal, and shall be kept on the books of the Auditor and Treasurer to the credit of the several townships entitled to the same; the said principal being the proceeds of the sales of lands heretofore granted by the United States for the use and support of free public schools, which amount shall be held by the State as a loan, and shall be and remain a perpetual fund, on which the State shall pay an annual interest of four per cent., and that said interest shall be paid to the several townships in the State entitled to the same, in accordance with the Act of Congress, No. 68, approved February 15, 1843.

Art. 258. The debt due by the State to the seminary fund is hereby declared to be one hundred and thirty-six thousand dollars, being the proceeds of the sale of lands heretofore granted by the United States to this State for the use of a seminary of learning, and said amount shall be kept to the credit of said fund on the books of the Auditor and Treasurer of the State as a perpetual loan, and the State shall pay an annual interest of four per cent. on said amount.

Art. 259. The debt due by the State to the Agricultural and Mechanical College fund is hereby declared to be the sum of one hundred and eighty-two thousand three hundred and thirteen dollars and three cents, being the proceeds of the sale of lands and land

scrip heretofore granted by the United States to this State for the use of a college for the benefit of agricultural and mechanical arts; and said amount shall be kept to the credit of said fund on the books of the Auditor and Treasurer of the State as a perpetual loan, and the State shall pay an annual interest of five per cent. on said amount.

Art. 260. The interest due on the free school fund, the seminary fund and the Agricultural and Mechanical College fund, shall be paid out of any tax that may be levied and collected for the payment of the interest on the State debt.

Art. 261. All pupils in the primary grades in the public schools throughout the parish of Orleans, unable to provide themselves with the requisite books, an affidavit to that effect having been made by one of the parents of such pupils, or if such parents be dead, then by the tutor or other person in charge of such pupils, shall be furnished with the necessary books free of expense, to be paid for out of the school fund of said parish; and the School Board of the parish of Orleans is hereby directed to appropriate annually not less than two thousand dollars for the purpose named, provided such amount be needed.

Corporations and Corporate Rights.

Art. 262. The General Assembly shall not remit the forfeiture of the charter of any corporation now existing, nor renew, alter or amend the same, nor pass any general or special law for the benefit of such corporation, except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution.

Art. 263. The exercise of the police power of the State shall never be abridged nor so construed as to permit corporations to conduct their business in such manner as to infringe the equal rights of individuals or the general well-being of the State.

Art. 264. No domestic or foreign corporations shall do any business in this State without having one or more known places of business, and an authorized agent or agents in the State upon whom process may be served.

Art. 265. No corporation shall engage in any business other than that expressly authorized in its charter or incidental thereto, nor shall it take or hold any real estate for a longer period than ten years, except such as may be necessary and proper for its legitimate business or purposes.

Art. 266. No corporation shall issue stock or bonds, except for labor done or money or property actually received, and all fictitious issues of stock shall be void, and any corporation issuing such fictitious stock shall forfeit its charter.

Art. 267. The stock shall neither be increased nor decreased, except in pursuance of general laws, nor without consent of persons holding the larger amount in value of the stock, first obtained at a meeting of stockholders to be held after thirty days' notice given in pursuance of law.

Art. 268. The term corporation, as used in this Constitution, shall be construed to include all joint stock companies or associations having any power or privileges not possessed by individuals or partnerships.

Art. 269. It shall be a crime, the punishment of which shall be prescribed by law, for any president, director, manager, cashier, or other officer or owner of any private or public bank or banking institution or other corporation accepting deposits or loans to assent to the reception of deposits, or the creation of debts by such banking institutions, after he shall have had knowledge of the fact that it is insolvent or in failing circumstances; any such officer, agent or manager shall be individually responsible for such deposits so received and all such debts so created with his assent.

Art. 270. The General Assembly shall have power to enact general laws authorizing the parochial, ward and municipal authorities of the State, by a vote of the majority of the property taxpayers in number entitled to vote under the provisions of this Constitution and in value, to levy special taxes in aid of public improvements or railway enterprises; provided, that such tax shall not exceed the rate of five mills per annum, nor extend for a longer period than ten years; and provided further, that no taxpayer shall be permitted to vote at such election unless he shall have been assessed in the parish, ward or municipality to be affected for property the year previous.

Art. 271. Any railroad corporation or association organized for the purpose shall have the right to construct and operate a railroad between any points within this State, and connect at the State line with railroads of other States. Every railroad company shall have the right with its road to intersect, connect with or cross any other railroad, and shall receive and transport each other's passengers, tonnage and cars, loaded or empty, without delay or discrimination.

Art. 272. Railways heretofore constructed, or that may hereafter be constructed in this State, are hereby declared public highways, and railroad companies common carriers.

Art. 273. Every railroad or corporation, organized or doing business in this State, under the laws or authority thereof, shall have and maintain a public office or place in this State for the transaction of its business, where transfers of stock shall be made, and where shall be kept for public inspection books in which shall be recorded the amount of capital stock subscribed, the names of owners of stock, the amounts owned by them respectively, the amount of stock paid, and by whom, the transfers of said stock, with the date of transfer, the amount of its assets and liabilities, and the names and places of residence of its officers.

Art. 274. If any railroad company, organized under the laws of this State, shall consolidate, by sale or otherwise, with any railroad company organized under the laws of any other State or of the United States, the same shall not thereby become a foreign corporation, but the courts of this State shall retain jurisdiction in all matters which may arise, as if said consolidation had not taken place. In no case shall any one consolidation take place except upon public

notice of at least sixty days to all stockholders, in such manner as may be provided by law.

Art. 275. General laws shall be enacted providing for the creation of private corporations, and shall therein provide fully for the adequate protection of the public and of the individual stockholder.

Art. 276. The police juries of the several parishes and the constituted authorities of all incorporated municipalities of the State shall alone have the power of regulating the slaughtering of cattle and other live stock within their respective limits; provided, no monopoly or exclusive privilege shall exist in this State, nor such business be restricted to the land or houses of any individual or corporation; provided, the ordinances designating the places for slaughtering shall obtain the concurrent approval of the Board of Health or other sanitary organization.

Parochial and Municipal Corporations.

Art. 277. The General Assembly may establish and organize new parishes, which shall be bodies corporate, with such powers as may be prescribed by law, but no new parish shall contain less than six hundred and twenty-five square miles, nor less than seven thousand inhabitants; nor shall any parish be reduced below that area, or number of inhabitants.

Art. 278. All laws changing parish lines, or removing parish seats, shall, before taking effect, be submitted to the electors of the parish or parishes to be affected thereby, at a special election held for that purpose, and the lines, or the parish seat, shall remain unchanged unless two-thirds of the qualified electors of the parish or parishes affected thereby vote in favor thereof at such election.

Art. 279. Any parish may be dissolved and merged by the General Assembly into a contiguous parish or parishes, two-thirds of the qualified electors of the parish proposed to be dissolved voting in favor thereof at an election held for that purpose; provided, that the parish or parishes into which the dissolved parish proposes to become incorporated consents thereto by a majority of its qualified electors voting therefor.

Art. 280. Whenever a parish shall be enlarged or created from territory contiguous thereto, it shall be entitled to a just proportion of the property and assets, and be liable for a just proportion of the existing debts or liabilities of the parish or parishes from which such territory shall have been taken.

Art. 281. Municipal corporations, parishes, and drainage 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 taxpayers, 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 debt, and issue negotiable bonds therefor, to the extent of one-tenth of the assessed valuation of the property within said municipal corporation, parish, or

drainage district, as shown by the last assessment made prior to the submission of the proposition to the property taxpayers, as above provided, and may be authorized by the property taxpayers voting at said election, to levy and assess special taxes upon the property subject to taxation in the parish, drainage district or corporation; 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 taxpayers. No bonds shall be issued for any other purpose than stated in the submission of the proposition to the taxpayers, and published for thirty days, as aforesaid, nor for a greater amount than therein mentioned; nor shall such bonds be issued for any other purpose than for paving and improving streets, roads and alleys, purchasing or constructing a system of water-works, sewerage, drainage, lights, public parks and buildings, bridges and other works of public improvement, the title to which shall vest in the municipal corporation, parish or drainage 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 or drainage district issuing same for less than par.

The municipal corporation, parish or drainage 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 or drainage district, for all purposes shall never exceed ten per cent. of the assessed value of the property in such municipality, parish or drainage 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.

Art. 282. One-half of the net amount of all parish taxes and licenses, levied and collected within the corporate limits of the city of Baton Rouge, shall be paid over for the use of said city, by the officer collecting the same, to the officer charged with the custody of the funds of said city.

*Railroad, Express, Telephone, Telegraph, Steamboat and
Sleeping Car Company Commission.*

Art. 283. A Railroad, Express, Telephone, Telegraph, Steamboat and other Water Craft, and Sleeping Car Commission, is hereby created; to be composed of three members, to be elected from the districts hereinafter named, at the time fixed for the Congressional election in 1898. Of the three commissioners elected in the year 1898, one shall serve two years, one shall serve four years, and one shall serve six years, the period each is to serve to be determined by lot; thereafter the commissioners from each district shall be elected

for a term of six years. They shall be known as the Railroad Commission of Louisiana. The Commission shall meet and open an office and have its domicile at Baton Rouge, and shall elect one of their number chairman, and may appoint a secretary at a salary of fifteen hundred dollars per annum, and may meet and hold regular or special hearings at such other places as they may find necessary. No member of this Convention shall be eligible to election or appointment as a member of said Commission, prior to the year 1908.

Art. 284. The power and authority is hereby vested in the Commission, and it is hereby made its duty, to adopt, change or make reasonable and just rates, charges and regulations, to govern and regulate railroad, steamboat and other water craft, and sleeping car, freight and passenger tariffs and service, express rates, and telephone and telegraph charges, to correct abuses, and prevent unjust discrimination and extortion in the rates for the same, on the different railroads, steamboats and other water craft, sleeping car, express, telephone and telegraph lines of this State, and to prevent such companies from charging any greater compensation in the aggregate for the like kind of property or passengers, or messages, for a shorter than a longer distance over the same line, unless authorized by the Commission to do so in special cases; to require all railroads to build and maintain suitable depots, switches and appurtenances, wherever the same are reasonably necessary at stations, and to inspect railroads and to require them to keep their tracks and bridges in a safe condition, and to fix and adjust rates between branch or short lines and the great trunk lines with which they connect, and to enforce the same by having the penalties hereby prescribed inflicted through the proper courts having jurisdiction.

The Commission shall have power to adopt and enforce such reasonable rules, regulations, and modes of procedure, as it may deem proper for the discharge of its duties, and to hear and determine complaints that may be made against the classification or rates it may establish, and to regulate the mode and manner of all investigations and hearings of railroad companies and other parties before it, in the establishment of rates, charges, and other acts, required or authorized by these provisions. They shall have power to summon and compel the attendance of witnesses, to swear witnesses, and to compel the production of books and papers, to take testimony under commission, and to punish for contempt, as fully as is provided by law for the district courts.

Art. 285. If any railroad, express, telephone, telegraph, steamboat and other water craft, or sleeping car company, or other party in interest, be dissatisfied with the decision or fixing of any rate, classification, rules, charge, order, act or regulation, adopted by the Commission, such party may file a petition setting forth the cause of objection to such decision, act, rule, rate, charge, classification or order, or to either or to all of them, in a court of competent jurisdiction, at the domicile of the Commission, against said Commission as defendant, and either party to said action may appeal the case to the Supreme Court of the State, without regard to the

amount involved, and all such cases, both in the trial, and appellate courts, shall be tried summarily, and by preference over all other cases. Such cases may be tried in the court of the first instance either in chambers, or at term time; provided, all such appeals shall be returned to the Supreme Court within ten days after the decision of the lower court; and where the Commission appeals, no bond shall be required. No bond shall be required of said Commission in any case, nor shall advance costs, or security for costs be required of the Commission.

Art. 286. If any railroad, express, telephone, telegraph, steamboat, or other water craft, or sleeping car company, subject hereto, directly or indirectly, or by any special rate, rebate, or other device, shall intentionally charge, demand, collect or receive, from any person, firm or corporation, a greater or less compensation for any service rendered by it, than it charges, demands or receives from any other person, firm or corporation, for doing a like and contemporaneous service, or shall violate any of the rates, charges, orders, or decisions of said Commission, such railroad, steamboat or other water craft, express, telegraph, telephone or other company, shall forfeit and pay to the State not less than one hundred dollars, nor more than five thousand dollars, to be recovered before any court of competent jurisdiction, at the suit of said Commission, at the domicile of the Commission or of the company, or at the place where the complaint arises, at the option of the Commission. Provided, that whenever any rate, order, charge, rule or regulation of the Commission is contested in court, as provided for in Article 285 of this Constitution, no fine or penalty for disobedience thereto, or disregard thereof, shall be incurred until after said contestation shall have been finally decided by the courts, and then only for acts subsequently committed.

The power of the Commission shall affect only the transportation of passengers, freight, express matter and telegraph and telephone messages between points within this State, and the use of such instruments within this State.

Art. 287. Until otherwise provided by law, the members of the Commission shall each receive a salary of three thousand dollars per annum, payable monthly on his own warrant, and their actual traveling expenses, and those of their secretary; which expenses, and the salary of the latter, shall be paid on the warrant of the Chairman of the Commission on a sworn statement of their correctness.

Nothing herein shall prevent the railroad, express, telegraph, telephone and steamboat or other water craft, or other companies, from serving free of cost, or at reduced rates, the State or any city, parish, or town government, or any charitable purpose, or any fair or exposition, or any destitute or indigent person, or the issuance of mileage or excursion tickets; nor to prevent railroads, steamboats, or other water craft from giving free transportation to ministers of religion, or to inmates of hospitals, or to railroad officers, agents, employes, attorneys, stockholders or directors, unless otherwise provided by this Constitution.

Art. 288. Upon the recommendation of the Commission the Legislature may add to or enlarge the powers and duties of said Commission, or confer other powers and duties on them. They may also provide additional clerical, or other assistance, that may be deemed necessary for the discharge of the duties of said Commission, and may add other penalties to make the work of said Commission effective.

It shall be the duty of the Attorney General, and the various district attorneys, to aid said Commission in all legal matters, for which they shall receive not exceeding 25 per cent. of all fines and forfeitures collected by them; provided, the Commission may employ other attorneys in lieu of these officers on like terms.

No person in the service of, or attorney for, any railway, express, telephone, telegraph, steamboat or other water craft, sleeping car company or corporation, or pecuniarily interested in such company or corporation, shall hold the office of Commissioner.

The fines collected, after paying the attorney's fees and the costs in suits in which the Commission may be cast for costs, shall be paid into the State Treasury.

Art. 289. The State is hereby divided into three Railway Commission Districts, and one Commissioner shall be elected from each of said districts by a plurality of the voters of the respective districts. The First District shall comprise the parishes of Orleans, Plaquemines, St. Bernard, Jefferson, St. Charles, St. John the Baptist and St. James. The Second District shall comprise the parishes of Iberville, Ascension, Assumption, Lafourche, Terrebonne, St. Mary, Iberia, St. Martin, Lafayette, Vermillion, Cameron, Calcasieu, Avoyelles, St. Landry, Pointe Coupee, West Feliciana, East Feliciana, West Baton Rouge, East Baton Rouge, St. Helena, Livingston, Tangiphoa, Washington, St. Tammany and Acadia. The Third District shall comprise the parishes of Rapides, Vernon, Sabine, Grant, Natchitoches, Winn, Red River, DeSoto, Caddo, Bossier, Webster, Bienville, Concordia, Caldwell, Franklin, Tensas, Madison, Richland, Ouachita, Jackson, Lincoln, Union, Morehouse, East Carroll, West Carroll, Claiborne and Catahoula.

RIPARIAN RIGHTS.

Art. 290. Riparian owners of property on navigable rivers, lakes, and streams, within any city or town in this State having a population in excess of five thousand shall have the right to erect and maintain on the batture or banks owned by them, such wharves, buildings and improvements as may be required for the purpose of commerce and navigation, subject to the following conditions, and not otherwise, to-wit: Such owners shall first obtain the consent of the Council, or other governing authority, and of the Board of Levee Commissioners, within whose municipal or levee district jurisdiction such wharves, buildings, and improvements are to be erected, and such consent having been obtained, shall erect the same in conformity to plans and specifications which shall have been first submitted to, and approved by, the engineer of

of such Council, or other governing authority; and when so erected such wharves, buildings, and improvements shall be, and remain, subject to the administration and control of such Council, or other governing authority; with respect to their maintenance and to the fees and charges to be exacted for their use by the public, whenever any fee or charge is authorized to be and is made; and shall be and remain subject to the control of such Board of Levee Commissioners, in so far as may be necessary for the maintenance and administration of the levees in its jurisdiction. The Council, or other governing authority, shall have the right to expropriate such wharves, buildings and improvements, whenever necessary for public purposes, upon reimbursing the owner the cost of construction, less such depreciation as may have resulted from time and decay; such reimbursement, however, in no case to exceed the actual market value of the property. Provided, that nothing in this article shall be construed as affecting the right of the State, or of any political subdivision thereof, or of the several Boards of Levee Commissioners to appropriate without compensation such wharves, buildings, and improvements, when necessary for levee purposes.

The grants made by the city of New Orleans under the terms of Ordinance 11,765, Council Series, adopted January 14, 1896, authorizing the construction, use, and maintenance of wharves, structures, and improvements upon certain riparian property in the Sixth Municipal District, and other grants of the same nature made by the city of New Orleans to riparian owners with reference to their property, are recognized as necessary aids to the commerce of this State, and are hereby ratified, and declared to be lawful, but shall in no event be construed as conferring greater privileges or rights than might be conferred under this article, or as releasing the riparian owners from the obligations herein imposed or which may have been imposed upon or assumed by such riparian owner by contract, municipal ordinance or otherwise.

Public Roads.

Art. 291. The Police Juries of this State may form their respective parishes into road districts; and in order to raise funds for the purpose of constructing, maintaining and repairing the public roads and bridges of their parishes, they are authorized to set aside at least one mill per annum of the taxes levied by them, and to impose a per capita tax of not more than one dollar per annum upon each able-bodied male inhabitant of the parish between the ages of eighteen and fifty-five years, and to levy an annual license of not less than twenty-five cents, nor more than one dollar per annum upon each vehicle, including bicycles kept and used for locomotion over public roads, in their respective parishes; which license may be graduated. The provisions of this article relative to the per capita tax shall not be operative in incorporated towns and cities that maintain their own streets.

To carry into effect the provisions of this article the Police Juries

may enact such ordinances of a civil nature as may be necessary to enforce the property and license tax, and of a criminal nature to enforce the per capita tax. Other taxes may be levied by the Police Juries for road and bridge purposes, not to exceed five mills for five years on the property of the parish, or any ward thereof, where the rate of taxation and the purpose thereof shall have been submitted to the property taxpayers of said ward or parish entitled to vote under the election laws of the State, and a majority in numbers and value of those voting at said election shall have voted in favor thereof.

Art. 292. When any parish shall avail itself of the provisions of this article, the judge, in passing sentence on persons convicted of any offense, when the punishment imposed by law is imprisonment in the parish jail in the first instance, or in default of payment of fine, may sentence such persons to work on the public roads and bridges and any other public works of the parish; and when the punishment prescribed by law is imprisonment in the penitentiary, he may sentence the persons so convicted to work on the public roads and bridges and other public works of the parish where the crime was committed, if the sentence actually imposed does not exceed six months. All fines and penalties imposed on persons for infringement of the any ordinance relative to roads and bridges, shall go, when collected, into the road and bridge fund of the parish.

Art. 293. The Police Jury shall relieve from compulsory road duty all persons who have paid the road and bridge tax and license levied against them.

Art. 294. The State Board of Engineers, whenever called on so to do, shall furnish the different road districts with plans and specifications for public roads, and such assistance and advice as will tend to create a uniform system of public roads throughout the State.

Board of Charities and Corrections.

Art. 295. The Legislature shall provide for a State Board of Charities and Corrections, which shall consist of six members, and of which the Governor shall be chairman *ex-officio*. Upon the organization of said Board, the Governor shall appoint one member for six years, one for five years, one for four years, one for three years, one for two years, and thereafter shall make appointments for six years, except in case of vacancy in office, when the appointment shall be made for the unexpired term. The members of the Board shall serve without compensation, but they shall be authorized to elect a secretary, who shall receive such salary as may be fixed by the Legislature. The State shall provide an office for said Board, and shall make provision from time to time for the payment of its expenses.

The duties of the Board shall be strictly visitatorial, without administrative or executive powers. It shall visit and inspect all State, parish or municipal institutions which are of a charitable, eleemosynary, correctional, or reformatory character, and all private institutions of like character utilized or aided by parochial or municipal

authority, and all private insane asylums, whether so utilized or aided or not.

The Board shall report annually to the Governor, and to the Legislature at each session thereof, the actual condition of all of the above institutions. They shall make such suggestions to the Governor and Legislature as may be necessary and pertinent; provided, said suggestions are concurred in by a majority of the members of the Boards in control of each of said institutions. The officers in charge of said institutions shall furnish the Board such information and statistics as it may require.

Boards of Health and State Medicine.

Art. 296. The General Assembly shall create for the State, and for each parish and municipality therein, Boards of Health, and shall define their duties, and prescribe the powers thereof. The State Board of Health shall be composed of representative physicians from the various sections of the State. Until otherwise provided by law, both the President and Secretary of the State Board of Health shall be *ex-officio* members of the Board of Health for the city of New Orleans, the President of the State Board to be the President of the local Board of the city of New Orleans.

Art. 297. The General Assembly shall provide for the interest of State Medicine in all its departments; for the protection of the people from unqualified practitioners of medicine, and dentistry; protecting confidential communications made to medical men by their patients while under professional treatment and for the purpose of such treatment; for protecting the people against the sale of injurious or adulterated drugs, foods and drinks, and against any and all adulterations of the general necessities of life of whatever kinds and character.

Militia.

Art. 298. The General Assembly shall have authority to provide by law how the militia of this State shall be organized, officered, trained, armed and equipped, and of whom it shall consist.

Art. 299. The officers and men of the militia and volunteer forces shall receive no pay, rations or emoluments, when not in active service by authority of the State.

Art. 300. The General Assembly may exempt from military service those who belong to religious societies whose tenets forbid them to bear arms; provided, a money equivalent for these services shall be exacted.

Art. 301. The Governor shall have power to call the militia into active service for the preservation of law and order, or when the public service may require it; provided that the police force of any city, town or parish, shall not be organized or used as a part of the State militia.

Pensions.

Art. 302. The Soldiers' Home of the State of Louisiana, known as Camp Nicholls, shall be maintained by the State, and the General Assembly shall make an appropriation for each year based upon the number of inmates in said home on the first day of April of the year in which said appropriation is made, of one hundred and thirty dollars per capita, for the maintenance and clothing of such inmates, from which one dollar per month shall be allowed to each inmate for his personal use, and shall make such further appropriations for building, repairs and incidentals, as may be absolutely necessary.

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

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

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

3. He shall not be salaried or otherwise provided for by the State of Louisiana or by any other State or Government.

In case he enlisted in any organization mustered into said service as a Louisiana organization, or in case at the date of his enlistment he resided in the State of Louisiana, he shall have resided in this State for at least five years prior to his application for a pension. In case he resided elsewhere than in this State, and enlisted in an organization not mustered in from Louisiana, or in the navy of the Confederate States, he shall have resided in this State for at least fifteen years prior to his application for such pension. A like pension shall be granted to the widow, who shall not have married again, in indigent circumstances, of any soldier or sailor who, having entered the service of the Confederate States during the late Civil War, lost his life prior to June 1, 1865, from wounds received, or disease contracted in such service; provided that if her deceased husband served in an organization mustered in from Louisiana, or if he resided in Louisiana at the date of his enlistment, and had so resided for one year prior thereto, then, in order that such widow shall be entitled to the pension as herein provided, she shall have resided in this State for at least five years prior to her application therefor; and if her deceased husband enlisted elsewhere than in Louisiana, and served in an organization not mustered in from Louisiana, such widow shall, in order to entitle her to the pension as herein provided, have resided in this State for not less than fifteen years prior to her application for such pension; provided, further, that pensions, whether to veterans or to widows, shall be allowed only from the date of application under this article, and the total appropriations for all pensions shall not exceed fifty thousand dollars in any one year.

Art. 304. The General Assembly shall appropriate not less than twelve hundred dollars per annum for the maintenance in New

Orleans of a Memorial Hall or repository for the collection and preservation of relics and mementoes of the late Civil War, and of other objects of interest, and shall be authorized to make suitable appropriations for the erection of monuments and markers on the battlefields of the country, commemorative of the services, upon such fields, of Louisiana soldiers and commands.

Agriculture and Immigration.

Art. 305. The existing Bureau of Agriculture and Immigration shall hereafter be known as the Louisiana State Board of Agriculture and Immigration, and shall be recognized as an integral part of the State Government.

Art. 306. The Louisiana State Board of Agriculture and Immigration shall have the control and direction of all State agricultural organizations and State Farmers' Institutes, and shall adopt the needful measures for the securement of proper immigration

It shall also encourage State, district and parish fairs and local agricultural organizations, and shall maintain effective control of the manufacture or sale, in this State, of fertilizers and Paris green for the suppression of adulteration and fraud therein. It shall perform such other duties and shall have such other powers as shall be prescribed by the General Assembly.

Art. 307. The said Board of Agriculture and Immigration shall consist of one member from each Congressional district, appointed by the Governor, by and with the advice and consent of the Senate, from men engaged in the leading agricultural interests of the State: the said members to hold their offices for six years, or until their successors are appointed. In the first appointment, which shall be made within sixty days after the adjournment of this convention, the members from the first and fourth districts shall be appointed for two years; those from the second and fifth districts for four years; and those from the third and sixth districts for six years. The Governor of the State, the Commissioner of Agriculture and Immigration, the President of the State University and Agricultural and Mechanical College, the Vice-President of the Board of Supervisors of the State University and Agricultural and Mechanical College, and the Director of the State experimental stations are and shall be ex-officio members of this Board. The members of said Board shall serve without compensation, except actual expenses incurred in attending the meetings.

Art. 308. The paramount importance of our agricultural interests, and the necessity of peopling with a desirable population the vast unoccupied areas of our fertile lands, require an enlargement of the duties and an expansion of the scope of the work of this Board, for which the General Assembly shall enact such laws as may be necessary to carry out the provisions of this article.

City of New Orleans.

Art. 309. There shall be seven Assessors in the city of New Orleans, who shall together compose the Board of Assessors for the parish of Orleans. One shall be appointed from each municipal district of the city of New Orleans, and they shall be residents of the districts from which they are appointed.

There shall be seven State Tax Collectors for the city of New Orleans. One shall be appointed from each municipal district. They shall be residents of the districts from which they are appointed, and they shall maintain offices in their respective districts. The said Assessors and State Tax Collectors shall be appointed by the Governor, by and with the advice and consent of the Senate for the term of four years.

The first appointments under this Constitution of said officers shall be after the general election in 1900.

Art. 310. There shall be one coroner for the parish of Orleans, who shall be elected for four years by the qualified electors of said parish, and whose duties shall be fixed by law. He shall be *ex-officio* city physician of the city of New Orleans, and shall receive an annual salary of forty-eight hundred dollars. He shall be a practicing physician of said city and a graduate of the medical department of some university of recognized standing. He shall appoint two assistants, having the same qualifications as himself; one at an annual salary of twenty-six hundred dollars and one at an annual salary of six hundred dollars.

Art. 311. The assistant whose salary is hereby fixed at six hundred dollars shall be a resident of the Fifth district of the parish or city of New Orleans and shall have his office in said district.

The assistant whose salary is fixed at twenty-six hundred dollars shall be a resident of that portion of the city of New Orleans lying on the left bank of the Mississippi river.

The provision shall take effect from and after the next general election. The salaries of the coroner and his assistants shall be paid by the city of New Orleans.

Art. 312. Any person whose property has been appropriated within twelve months prior to the adoption of this Constitution, or whose property may hereafter be appropriated by the Orleans Levee Board for levee purposes, shall have a right of action against said board in any court of competent jurisdiction for the value of said property, and whatever judgment may be finally rendered against the Board shall be paid out of the taxes collected by it in the same manner as other disbursements are made; provided, that this shall not apply to batured property, nor to vacant property, where only a part thereof has been taken for levee purposes, and where the effect of the levee building would be to protect the remaining part of the same property; nor to any property on any part of the river front, the administration and control of which is vested, for the purposes of commerce, either in the State or city authorities, and on which improvements have been erected under grants from the city of New Orleans, or other authority, nor to the said improvements; pro-

vided, that said Board shall have power to appropriate property subject to such servitude, for levee building, as under existing laws, without making such compensation in advance.

Art. 313. All surplus revenues of the city of New Orleans, from the year 1879 to the year 1895, both inclusive, except the surplus revenue dedicated to permanent public improvement, and to schools, by Act No. 110 of 1890, derived from the one per cent. tax levied under said act, shall be turned over by the city to the Board of Liquidation of the City Debt. Said Board shall redeem all claims evidenced by financial ordinance or judgment against the city of New Orleans for debts arising and incurred between the years 1879 to 1895, both inclusive, payment of which has not heretofore been provided for out of the reserve and permanent public improvement funds of the city for the years 1893 to 1898, both inclusive, excepting therefrom the claims of school teachers for the years 1880 to 1884, payment of which has been authorized by Act No. 110 of 1890 and is now being provided for by the city, said claims or judgments to be purchased on the most reasonable terms offered by creditors within the period of eighteen months succeeding the date of the adoption of this Constitution, the said Board to invite proposals by public advertisements, to be made bi-monthly; provided, any and all bids may be rejected. For the purpose of such redemption the city of New Orleans, through the Board of Liquidation, is hereby authorized to issue bonds to the extent of two hundred and fifty thousand dollars, bearing four per cent. per annum interest, payable semi-annually in such denominations as may be by said board determined upon, maturing in fifty years from the date of issue, but subject to redemption by said board in the reverse order of their issue at any time after sixty days' notice.

Said board is hereby authorized in its discretion to exchange said bonds for said claims against the city, evidenced by financial ordinances or judgments, or to sell said bonds, and with the proceeds thereof purchase said claims; provided, that no sale of said bonds shall be made for less than par.

Said Board of Liquidation shall, at any time it may be necessary, sell a sufficient number of the Constitutional Bonds of the city of New Orleans, now unsold, of the issue provided for by Act 110 of the General Assembly for the year 1890, and by the amendment to the Constitution of the State submitted to the people by said act and adopted at the general election in 1892, to provide for the payment of interest or principal of the bonds hereby authorized to be issued. Whenever the said Board of Liquidation shall have received from the surplus revenues of the city of New Orleans, as provided herein, sufficient funds to meet the issue of bonds hereby authorized in principal and interest, the remainder of the surplus revenues so turned over to the said board shall revert to the city.

Art. 314. The provisions of the amendment embodied in joint resolution of the General Assembly No. 110, approved July 8, 1890, and thereafter ratified by the people and made part of the Constitution, are recognized as of full force and effect; the authority conferred upon the city of New Orleans and upon the Board of Liquidation

tion of the City Debt, with respect to the issuance of constitutional bonds of the city of New Orleans, and to the levy and collection of a special *ad valorem* tax of one per cent. upon all the taxable property, real, personal and mixed, in said city, for the payment of said bonds, in principal and interest, and with respect to the manner of such payment, is confirmed, as are also all rights vested by said amendment in the present and future holders of said bonds, whether issued or to be issued; and no limitations imposed by other provisions of this Constitution upon the authority of the city of New Orleans, shall be held to include, apply to or affect, the taxing power herein contemplated and confirmed.

Art. 315. The city of New Orleans is hereby authorized and required to examine into and assume payment of the obligations of the Board of Directors of the Public Schools of the parish of Orleans for unpaid salaries of school teachers and portresses and of other legitimate claims against said School Board, for the years 1882, 1883 and 1884, and for unpaid salaries of school teachers and portresses for the years 1885, 1886 and 1887, now in the hands of the original owners, who have in no wise parted with their rights of ownership, or pledged the same, as may be found by said city to be equitably due by said Board. All claims to be examined into and assumed by the city of New Orleans under this article shall be presented to and filed with the City Council of said city within ninety days after the adoption of this Constitution, and not thereafter.

Art. 316. The City Council shall issue certificates of indebtedness to the owners of said claims, when examined and found to be equitably due, and all such certificates shall be paid by the Board of Liquidation. If any of the claims aforesaid be rejected by the said City Council, the decision thereon may be reviewed by any court of competent jurisdiction, and the judgment of the court thereon shall, if in favor of the claimant, be likewise paid by the Board of Liquidation.

Art. 317. The funds requisite to pay said claims shall be provided by said Board of Liquidation, by the sale of a sufficient number of the constitutional bonds of the city of New Orleans of the issue provided for by Act No. 110 of the General Assembly for the year 1890, and by the amendment of the Constitution of the State submitted to the people by said act and adopted at the general election in 1892.

Art. 318. The General Assembly of the State of Louisiana is hereby authorized to amend Act No. 110 of 1890, confirmed by Constitutional amendment of 1892, providing for the refunding of the city debt so far only as to provide that in the further issue of bonds under said act within the limit of ten million dollars, provided for in said act, the city of New Orleans through the Board of Liquidation, shall have authority to issue registered bonds, and to authorize the exchange of registered bonds for equal amounts of outstanding four per cent. coupon bonds of the city of New Orleans, issued under authority of said act, having the same time to run and at the same rate of interest, and provide for their registration and payment of interest. All registered bonds issued by the city of New Orleans under the amended act as herein provided shall have the same guarantees, and the holders of said bonds shall have the

same privileges, as are now secured by said act to the holders of coupon bonds. Said registered bonds shall be denominated Registered Constitutional Bonds of the City of New Orleans, Authorized by Act No. 110 of 1890, and amendment thereto.

Art. 319. The electors of the city of New Orleans, and of any political corporation which may be established within the territory now, or which may hereafter be, embraced within the corporate limits of said city, shall have the right to choose the public officers, who shall be charged with the exercise of the police power and with the administration of the affairs of said corporation in whole or in part.

Art. 320. This article shall not apply to the Board of Liquidation of the City Debt, nor shall it be construed as prohibiting the establishment of Boards or Commissions, the members of which are elected by the Council or appointed by the Mayor with the consent of the Council. As to all other existing Boards or Commissions affected by it, said article shall take effect from and after the first municipal election which shall be held in the city of New Orleans after the adoption of this Constitution; provided that nothing herein contained shall be so construed as to prevent the Legislature from creating Boards or Commissions, whose powers shall extend in and beyond the parish of Orleans, or as affecting present Boards of that character, or the Board of Directors of the public schools; provided, that hereafter, in creating any Board with such powers, or in filling vacancies therein, at least two-thirds of the members thereof shall be from the city of New Orleans, and elected by the people or Council thereof, or appointed by the Mayor as hereinabove provided.

AMENDMENTS TO THE CONSTITUTION.

Art. 321. Propositions for the amendment of this Constitution may be made by the General Assembly at any session thereof, and if two-thirds of all the members elected to each house shall concur therein, after such proposed amendments have been read in such respective houses on three separate days, such proposed amendment or amendments, together with the yeas and nays thereon, shall be entered on the Journal, and the Secretary of State shall cause the same to be published in two newspapers published in the parish of Orleans and in one paper in each other parish of the State in which a newspaper is published, for two months preceding an election for Representatives in the Legislature or in Congress, to be designated by the Legislature, at which time the said amendment or amendments shall be submitted to the electors for their approval or rejection; and if a majority voting on said amendment or amendments shall approve and ratify the same, then such amendment or amendments so approved and ratified shall become a part of the Constitution. When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately. The result of said election shall be made known by the proclamation of the Governor.

CODE OF CRIMINAL LAW, PROCEDURE AND CORRECTION.

Art. 322. It shall be the duty of the Governor to appoint a commission to prepare drafts of a Code of Criminal Law, of a Code of Criminal Procedure, and of a Code of Criminal Correction for this State. The drafts of such codes, when prepared, shall be promptly printed, and copies thereof shall be sent to each judge of this State, and to such other persons in or out of this State as the Governor may think proper, with the request from him for suggestions and criticisms. The Governor shall submit to the General Assembly of this State, first convened, after the lapse of one year from the distribution of the printed copies of said drafts as above, the said drafts, together with the report of the Commission, and with a message from himself in which he shall embody and condense each suggestion he shall deem of use. And the General Assembly shall have power to adopt said Codes, with such amendments as they may deem advisable, by vote in each House, without complying with the formalities of readings and the other formalities required by the Constitution in the passage of statutes. No promulgation of said code shall be required beyond its publication in book form after same shall have become a law.

Art. 323. All amendments proposed in the General Assembly shall be proposed within the first thirty days after its convening, and no amendment shall be proposed after the lapse of that time. All amendments shall be referred to a joint committee of both Houses, consisting of two members from each House, with the Attorney General as *ex-officio* chairman. Only such amendments shall be voted on as shall be favorably reported by this committee, and each amendment shall be voted on separately.

Art. 324. The Commission to prepare said drafts shall be composed of three lawyers of this State. The compensation of said Commissioners shall be fixed by the General Assembly. Said compensation to be payable only when the drafts have been prepared and submitted to the Governor; but the other expenses of the Commission shall be promptly paid as incurred, and the Governor is hereby warranted to draw on the General Fund for said compensation, and for all the expenses of printing the said drafts, and for the other expenses incurred under this act.

Schedule.

Art. 325. That no inconvenience may arise from the adoption of this Constitution, and in order to carry this Constitution into complete operation, it is hereby declared;

First—That all laws in force in this State, at the time of the adoption of this Constitution, not inconsistent therewith, and constitutional when enacted, shall remain in full force and effect until altered or repealed by the General Assembly, or until they expire by their own limitation. All ordinances passed and ratified by this Convention and appended to the official original draft of the Constitution delivered to the Secretary of State, shall have the

same force and effect as if included in, and constituting a part of this Constitution.

Second—All writs, actions, causes of action, proceedings, prosecutions and rights of individuals, or bodies corporate, and of the State, when not inconsistent with this Constitution, shall continue as valid and in full force and effect.

Third—The provisions of all laws, which are inconsistent with this Constitution, shall cease upon its adoption, except that all laws which are inconsistent with such provisions of this Constitution as require legislation to enforce them, shall remain in full force until such legislation is had.

Fourth—All recognizances, obligations and all other instruments entered into or executed before the adoption of this Constitution, to the State, or to any parish, city, municipality, board, or other public corporation therein, and all fines, taxes, penalties, forfeitures and rights, due, owing or accruing to the State of Louisiana, or to any parish, city, municipality, board, or other public corporation therein, under the Constitution and laws heretofore in force, and all writs, prosecutions, actions and proceedings except as herein otherwise provided shall continue and remain unaffected by the adoption of this Constitution. All indictments and informations which shall have been found or filed, or may hereafter be found or filed for any crime or offense committed before the adoption of this Constitution, may be prosecuted as if no change had been made, except as herein otherwise provided.

Fifth—All officers, executive, legislative and judicial, State, parish, or municipal, who may be in office at the adoption of this Constitution, or who may be elected or appointed before the election or appointment of their successors, as herein provided, shall hold their respective offices until their terms shall have expired, and until their successors are duly qualified, as provided in this Constitution, unless sooner removed, as may be provided by law; and shall receive the compensation now fixed by the Constitution and laws in force at the adoption of this Constitution, except as herein otherwise provided.

Sixth—The Constitution of this State, adopted in 1879, and all amendments thereto, are declared to be superseded by this Constitution; provided, however, that no failure on the part of this Convention to re-enact and re-ordain any article or ordinance contained in the Constitution of 1879 upon any of the subjects upon which this Convention is by the act convening it prohibited from enacting, ordaining or framing any article or ordinance, shall be construed as in any manner impairing or affecting the provisions of the Constitution of 1879, upon the prohibited subjects.

Seventh—The Supreme Court, Courts of Appeal and District Courts, provided for by this Constitution, are declared to be, and shall be construed to be the same courts as those of the same name, created by the Constitution of 1879, and all writs, orders and process issued from said courts, which shall be pending, or in course of execution at the date when this Constitution goes into effect, together with all the records and archives of said courts, shall at once, by virtue of this article, be transferred to, and held to be

cases pending in, and writs, orders and process issued from, and in course of execution, under the authority of, and records and archives of said courts respectively, as organized under this Constitution.

Eighth—This Constitution, adopted by the people of the State of Louisiana, in Convention assembled, shall be in full force and effect from and after this 12th day of May, 1898, save and except as otherwise provided in and by said Constitution.

Art. 326. The first General Assembly meeting after the adoption of this Constitution is required to make a special appropriation to pay the debt which this convention has contracted with the Louisiana National Bank, the Hibernia National Bank and the New Orleans National Bank of the city of New Orleans, with interest at 5 per cent. per annum from May 9, 1898, until paid, and for which certificates are held by said banks, issued to them pursuant to an ordinance heretofore adopted by this convention, and which said debt was incurred for the purpose of enabling this convention to complete its work.

There shall be printed in book or pamphlet form 1500 copies of the journal of the convention, and 5000 copies of this Constitution, and each member of the convention shall be entitled to eight copies of the journal and twenty-five copies of the Constitution. The remaining copies shall be delivered to the Secretary of State, to be disposed of as may hereafter be ordered by the Legislature.

Said General Assembly shall also make any appropriation required to pay any loans heretofore negotiated, or which may hereafter be negotiated by the Governor, pursuant to an ordinance heretofore adopted by this convention, for the purpose of defraying the expenses of organizing and mobilizing the State's quota of volunteers called for by the proclamation of the President of the United States, heretofore promulgated.

Done in convention, in the city of New Orleans, on the twelfth day of May, in the year of our Lord one thousand eight hundred and ninety-eight and of the Independence of the United States of America the one hundred and twenty-second.

E. B. KRUTTSCHNITT.

President of the Convention.

R. H. SNYDER,

First Vice President of the Convention.

S. McC. LAWRASON,

Second Vice President of the Convention.

Attest:

ROBERT S. LANDRY,

Secretary of the Convention.

DELEGATES

TO

THE CONSTITUTIONAL CONVENTION

OF

THE STATE OF LOUISIANA.

1898.

E. B. KRUTTSCHNITT.....	President
R. H. SNYDER.....	First Vice President
S. McC. LAWRASON	Second Vice President
ROBERT S. LANDRY.....	Secretary

Alexander, T., Caddo.
 Allen, A. C., St. Mary.
 Badeaux, Thomas A., Lafourche.
 Bailey, B. W., Winn.
 Barrow, Robert Ruffin, Terrebonne.
 Bell, T. F., at large, Caddo.
 Behrman, Martin, Orleans, Fifteenth Representative District.
 Bird, C. C., East Baton Rouge.
 Blanchard, Max, Jr., Orleans, Seventh Representative District.
 Boatner, C. J., at large, Orleans.
 Bolton, G. W., at large, Rapides.
 Bond, Joseph L., Lincoln.
 Boone, J. T., Bienville.
 Breazeale, Phanor, Natchitoches
 Browning, Charlton K., Orleans, Eleventh Representative District.
 Bruns, H. Dickson, at large, Orleans.
 Burke, Walter James, Iberia.
 Burns, Thomas M., St. Tammany
 Caillouet, L. P., Lafourche.

Cameron, Robert S., Grant.
 Carver, M. H., at large, Natchitoches.
 Castleman, Thomas W., Orleans, Fourteenth Representative District.
 Chenet, James V., St. John Baptist.
 Chiapella, Henry, Orleans, Seventh Representative District.
 Clingman, A. K., at large, Calaborn.
 Coco, A. V., at large, Avoyelles.
 Cordill, C. C., Tensas.
 Cordill, W. J., Franklin.
 Couvillion, G. Horace, Avoyelles.
 Dagg, J. L., Concordia.
 Davenport, C. C., Morehouse.
 Davidson, M. W., Livingston.
 Dawkins, R. B., at large, Union.
 Deblieux, John, Iberville.
 Dossman, L. J., St. Landry.
 Draughon, Robt. L., Tangipahoa.
 Dreihholz, E. William, St. Mary.
 Drew, Harrison C., Calcasieu.
 Drew, R. C., Webster.

- Dubuisson, E. B., at large, St. Landry.
 Dudenhefer, F., Orleans, Ninth Representative District.
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 Estopinal, Albert, Sr., at large, St. Bernard.
 Ewing, Robert, Orleans, Tenth Representative District.
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 Gately, Samuel T., Orleans, Fourth Representative District.
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 Gray, William J., West Carroll.
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 Hester, Henry G., at large, Orleans.
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 Hirn, Joseph, Orleans, Eighth Representative District.
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 Jenkins, B. F., De Soto.
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 Leche, Paul, Ascension.
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 Lefebvre, Victor M., West Baton Rouge.
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 Lozano, Louis, Iberville.
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 McGuirk, Arthur, Orleans, Sixth Representative District.
 McRacken, James, Orleans, Fifth Representative District.
 March, Sidney H., Orleans, First Representative District.
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 Meadors, John E., Claiborne.
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 Moore, I. D., Orleans, Eleventh Representative District.
 Moore, James E., Claiborne.
 Mouton, James E., St. Martin.
 Munson, Edward P., Assumption.
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 O'Connor, Jas., at large, Orleans.
 Oakes, C. K., Vernon.
 Pipes, D. W., East Feliciana.
 Ponder, Amos L., Sabine.
 Porter, W. B., East Feliciana.
 Presley, Crawford A., Natchitoches.
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 Pugh, Phillip S., Acadia.
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 Sevier, George W., Madison.
 Shaffer, John D., Terrebonne.
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- Snider, J. A., Bossier.
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Snyder, Robert H., Tensas.
Soniart, Chas. T., at large, Orleans.
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Strickland, Milton A., St. Helena.
Stringfellow, H. C., at large,
Red River.
Stubbs, F. P., at large, Ouachita.
Sullivan, E. J., Rapides.
Summerlin, John W., Richland.
Tebault, Christopher H., Orleans,
Third Representative District.
Thornton, J. R., Rapides.
- Thompson, J. M., at large, St.
Tammany.
Wade, T. M., at large, Tensas.
Ware, Jas. A., at large, Iberville.
Watkins, L. K., at large, Webster.
White, H. H., at large, Rapides.
Wickliffe, Robert C., West Feli-
ciana.
Wilkinson, J. D., Red River.
Wilson, Riley J., Catahoula.
Wise, William H., Caddo.
Youngs, Hicks L., St. Charles.
Zengel, Fred., Orleans, Ninth
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