New Orleans Daily Crescent.

FRIDAY MORNING, JANUARY 26, 1866.

GENERAL ASSEMBLY OF LOUISIANA

THURSDAY, JANUARY 25, 1866.

Senate.

The Senate met at noon to-day pursuant to adjournment from yesterday, Lieutenant Governor Voorhies in the Chair.

On the roll being called, twenty-four members responded, forming a full quorum.

Prayer was offered by the Rev. Dr. Hedges.

The journal of yesterday's proceedings was read and approved.

On proceeding to business the following members were present in addition to the President: Messrs. Anderson, Bell, Brownlee, Brusle, Burthe, Campbell, Coco, Cooley, Egan, Ellis, Fellowes, Foute, Gibson, Gordon, Kavanaugh, Kelso, Kenner, Lapeyre, Mohan, Munday, Newton of Jackson, Newton of Morehouse, Nelson, Palfrey, Poche, Purcell, Taylor, Scruggs, Welch and Wilcoxon.

Mr. Gibson offered a memorial from the Levee Commissioners on the subject of providing means for the payment of contractors for repairing the levees, accompanied by a bill to carry out the propositions of the memorial. The memorial stated that at a meeting of the Board, held on the 24th inst., it was resolved to appeal to the Legislature for an appropriation of $500,000, in such form as would be most likely to bring relief to the contractors engaged in building the levees. The first instalment of pay was now due them, and as there was but little hope of the necessary relief being procured by the sale of the bonds, the Commissioners were compelled to appeal to the Legislature. They had been officially notified that unless speedy means were adopted to provide for the payment of contractors who had exhausted all their own means, the work on the levees would have to be stopped in a few days. Besides the dangers to which the country would consequently be exposed, a large amount of work already done would be lost. He hoped the appeal to the Legislature would not be made in vain. He would move that the memorial be adopted, and asked for a suspension of the rules, in order that the accompanying bill might be introduced and passed.

The memorial was adopted and the bill introduced. The latter provides that $500,000 should be set apart from the levee and draining fund to pay for services done by engineers and their employees, and that it be made payable by the Treasurer on the warrant of the Auditor, signed by the Secretary and countersigned by the Chairman. It was read a first and second time, and taken up for the third reading, when

Mr. Mohan objected to a further suspension of the rules, and moved that the bill be referred to the Committee on Public Works, Lands and Levees. The sum involved was no trifling one, and the subject ought to be carefully scrutinized before being disposed of.

Mr. Gibson said the subject was one of great importance and ought to be disposed of as soon as practicable. As he had already stated, he had been assured that unless some provision was made for the immediate payment of the contractors for what had been already accomplished, the work must cease. He thought the bill ought to be allowed to pass at once. The Auditor had already been consulted, and it was satisfactorily ascertained that the bill merely proposed to supply at present what could not otherwise be procured, while it only substituted one mode of doing so for another and did not add anything to the expenditures, or appropriations, or liabilities of the State. If the bill were not passed to-day or to-morrow the work on the levees would be suspended. He was sure the Senate must feel the importance of of this matter; and he hoped the gentleman would withdraw his opposition to the motion and allow the bill to pass and go to the other House.

Mr. Mohan persisted in his opposition to the further suspension of the rules, and said he should call for the yeas and nays. He could not see why the Senate should consent to an appropriation of $500,000 in this way, without giving members a chance of investigating the circumstances. The memorial, he admitted, was very plain in its terms, and he did not question the convictions of the gentleman; but still he could not see how delaying the measure till to-morrow could prevent the contractors from continuing their work.

The question being put on the motion to refer the bill to the Committee on Public Works, Lands and Levees, it was negatived.

Mr. Gibson then renewed his motion that the bill be read a third time and passed.

Mr. Mohan called for the ayes and noes, which were taken as follows:

Ayes—Messrs. Anderson, Bell, Brownlee, Brusle, Burthe, Campbell, Coco, Cooley, Fellowes, Foute, Gibson, Gordon, Kelso, Kenner, Lapeyre, Munday, Palfrey, Taylor, Welch and Wilcoxon—20 Senators.

Noes—Messrs. Egan, Ellis, Kavanaugh, Mohan, Newton of Jackson, Newton of Morehouse, Nelson, Purcell and Scruggs—9 Senators.

Mr. Mohan changed his vote to "aye," and so the number stood twenty-one to eight.

The President said that it required four-fifths vote to allow the bill to be read a third time. That number would be twenty-four. The motion was therefore lost, and the bill lies over for the third reading.

Mr. Newton, of Morehouse, moved that the clerks, enrolling clerks and other employes of the committees appointed last session be retained.

Mr. Brusle moved to lay this motion on the table.

Mr. Gordon said he thought the passing of such a resolution as that proposed would be very discourteous to the Chairman of the Enrolling Committee.

Mr. Brusle said it was of very little importance to him who was employed on the Enrolling Committee, but if this resolution was passed he should certainly resign as chairman of it.

Mr. Munday said he was under the impression that a legislative enactment expressly authorized the committee to appoint their own clerks, and it certainly ought to be left to them.

Mr. Newton explained that he had proposed this resolution only because, as the House had retained its clerks, it would be convenient for the Senate to do the same.

Mr. Taylor explained that there had been some incongruity of action between the clerks of the Houses, some refusing to work all day because they did not belong to the other House. It was, therefore, necessary to give the committee the right to manage the clerks. He seconded the proposition to lay Mr. Newton's motion on the table.

Mr. Wilcoxon fully supported the views of Mr. Taylor.

The question was then put, and the motion to lay on the table was carried.

Mr. Gordon offered a joint resolution for the appointment of a joint committee to consider and report what amendments were necessary to the charter of the city of New Orleans. The rules were, on motion, suspended, and the resolution read a first, second and third time, and passed.

Mr. Gordon moved that the Finance Committee be instructed to inquire and report upon the advisability of the State of Louisiana issuing a currency to the amount of $2,000,000, in order to give temporary relief to the present currency. Agreed to.

Mr. Mohan offered a resolution for the appointment of an additional Doorkeeper to keep order in the hall leading to the Senate Chamber.

After a brief discussion as to the necessity for such an additional employe, the argument that the Sergeant-at-Arms ought to keep order, and the statement that in order to prevent some of the noise by which the proceedings of the Senate were confused, matting had been already ordered, and would be laid down in the hall in a few days.

Mr. Mohan said the matting might be very good for the feet, but it would not stop the voices of persons who seemed to select the hall for loud talking and the discussion of measures sometimes before the Senate. The present officers were required within the Senate Chamber. He had repeatedly observed the President compelled to put up his hands to his ears to endeavor to catch what was going on, even after he had repeatedly called to order with his mace.

On the question being put, on the motion for an additional doorkeeper for the hall,

Mr. Gibson (inadvertently out of order) gave notice of his intention to introduce a resolution to abolish the whole system of public education, as at present established by law in this State.

The Secretary announced that the President had appointed Messrs. Gordon, Mohan, Foute, Bell and Lapeyre the committee on Mr. Gordon's resolution in relation to amendments to the city charter.

A memorial from the Ladies' Providence Society was laid before the Senate, with a statement of the affairs of their asylum. It appeared from it that they have two institutions at the corner of Johnson and LaHarpe streets; one for the widows and orphans, and the other for aged and infirm males; containing altogether 145 inmates; that their resources had ceased, and that unless something were promptly done to aid them, it would be impossible to continue the charity in which they were engaged.

On motion of Mr. Burthe, the memorial was referred to the Committee on Charitable Institutions.

Mr. E. W. Halsey, Assistant Clerk of the House of Representatives, appeared at the bar with a message from the House, and being admitted, announced that the House asked the concurrence of the Senate in a joint resolution on the subject of the legality of releasing from debts for slaves and other property destroyed during the late war.

Mr. Taylor presented a bill, which he stated had been brought up at the late extra session and referred to the Committee on Claims, for the relief of Wm. Lockwood. He moved for a suspension of the rules that it might be read a first and second time and referred to the Committee on Claims. Agreed to. Read and referred accordingly.

Mr. Bell presented an act to provide for the licensing of gambling houses and the vendors of lottery tickets throughout the State. The following is a copy of the bill:

An Act to License Gambling Houses and Sale of Lottery Tickets.

WHEREAS, Article 116 of the Constitution provides that the Legislature shall have the power to license gambling houses and the sale of lottery tickets, and as said business is now being carried on to an enormous extent in violation of existing laws; and, Whereas, a large revenue can be accrued to the State by licensing the same, therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That the owner or owners of gambling houses, and the vendors of lottery tickets, throughout the State, shall pay an annual license of ten thousand dollars, payable semi-annually in advance; said business, in all cases, shall be transacted on the first floor, and kept with open doors.

SEC. 2. *Be it further enacted, etc.*, That any person or persons following any of the above mentioned professions without first having complied with the requirements of the first section of this act, shall pay a fine of not less than five thousand dollars, one-half, upon conviction of the same, to be given to the informer, and the remaining portion to go to the benefit of the Charity Hospital, in the City of New Orleans, the same to be recovered before any court of competent jurisdiction, and it shall be the duty of the several district attorneys of the State to prosecute the same; and if the person or persons so convicted fail to pay within ten days the above mentioned fine, they shall be imprisoned in the parish prison for a period of not less than two years or more than three years.

SEC. 3. *Be it further enacted, etc.*, That the Common Council of the city of New Orleans shall have the power to license gambling houses and the vendors of lottery tickets: Provided, however, that the municipal tax shall not be less than five thousand dollars per annum, payable in advance.

SEC. 4. *Be it further enacted, etc.*, That all laws, or parts of laws, contrary to or conflicting with this act be, and the same are, hereby repealed.

SEC. 5. *Be it further enacted, etc.*, That this act shall take effect from and after its passage.

Mr. Bell moved that the bill be referred to a special committee of five.

Mr. Mohan could see no reason why the bill should be referred to a special committee. The Judiciary Committee was the proper body to deal with the question, and to that committee he moved that it be referred.

Mr. Bell said there was a constitutional provision which would require the bill to be dealt with as he proposed.

Mr. Taylor said there had been an order issued by Gen. Sheridan suppressing all gambling houses, and he wished to understand how that order and this bill could co-exist.

Mr. Gibson said the order alluded to had not been issued by Gen. Sheridan, but by the Mayor, though doubtless based on an original military order. It was reported, however, that the order had already been revoked.

After some few further observations, the bill was referred to a select committee.

Mr. Lapeyre introduced a bill to provide for the liquidation of certain banks, which was the same as that before the late extra session, with the exception of a preamble, which had been added in order to explain the object of the bill. The banks, he said, would be given up by the military authorities in a few days, and something ought to be done to protect them from the mischief which might attend the absence of such a measure as this. The bill was read a first and second time, and made the order of the day for to-morrow.

The Secretary announced that the President had appointed the following committee on Mr. Bell's bill for licensing gambling saloons, etc.: Messrs. Bell, Gordon, Burthe, Ellis and Palfrey.

The order of the day, Mr. Mohan's joint resolution ordering an election for municipal officers for the city of New Orleans, was then called up.

Mr. Gordon moved to strike out the preamble, as unnecessary and perhaps calculated to raise embarrassing questions.

Mr. Mohan objected. He said the object of the preamble was to show that the present incumbents held their offices only for temporary purposes.

Mr. Gordon read the 129th section of the city charter of 1856, as follows: "Be it further enacted, etc., That if at any time the election of mayor, or of one or more of the aldermen, assistant aldermen, or other public officer of the city of New Orleans shall be annulled or set aside for any cause whatever, the incumbent of the office shall nevertheless continue to fill its duties until a successor shall have been duly elected or appointed and qualified as required by law." It seemed to him that under the preamble to the present bill and that provision, Mr. Monroe and others serving with him as aldermen, assistant aldermen, etc., might walk in and take possession of the offices until their successors were duly elected. He wished to leave the matter so that this should not be involved.

Mr. Mohan moved to lay the motion to strike out the preamble on the table.

The motion was carried, and the preamble was adopted.

The title and enacting clauses being altered, so as to make it "an act" instead of a "joint resolution," the bill was carried through its remaining stages and passed. The following is a copy of it:

An Act ordering an Election for Municipal Officers for the City of New Orleans.

WHEREAS, By the laws consolidating the city of New Orleans, and providing for the government of said city and the administration of its affairs, it is expressly provided that the mayor, comptroller, street commissioner, recorders, aldermen, and assistant aldermen, shall be elected by the people of said city; and whereas, the present incumbents hold commissions of a temporary nature, granted only for the purposes of the time being; and whereas, it is eminently proper that the municipal government of said city should be again committed to the people, under and in accordance with the charter of said city; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That the Governor be and he is hereby requested to issue, forthwith, his proclamation ordering an election, to be held on the second Monday of March, 1866, for mayor, comptroller, street commissioner, recorders, aldermen, and assistant aldermen, as provided by the act entitled an act to consolidate the city of New Orleans and to provide for the government of the city of New Orleans and the administration of the affairs thereof, approved March 20th, 1856.

SEC. 2. *Be it further enacted, etc.*, That the officers thus elected shall enter upon the discharge of their duties on the first Monday following their election, and shall continue in office until the third Monday in June, 1868; *Provided*, That at the first sitting of the Common Council in 1866, the aldermen and assistant aldermen shall be divided by lot into two classes. The seats of the first class shall be vacated on the third Monday of June, 1867, and the seats of the second class shall be vacated on the third Monday of June, 1868; *Provided also*, That one-half of the aldermen and assistant aldermen of each district shall constitute the first class; *And provided further*, That there shall be an election on the first Monday of June, 1867, and annually thereafter, as provided in said city charter, at each of which said elections a sufficient number of aldermen and assistant aldermen shall be elected to fill the places of those going out.

SEC. 3. *Be it further enacted, etc.*, That on and after the first Monday of June, 1868, elections shall be held for mayor, comptroller, recorders, aldermen and assistant aldermen, for the periods stated, and in accordance with the requirements and provisions of the said act to consolidate the city of New Orleans, etc., approved March 20th, 1856.

SEC. 4. *Be it further enacted, etc.*, That this act shall be in force from and after its passage.

Mr. Palfrey presented a bill, which he had been instructed by the Committee on Public Works, Lands and Levees to offer, for the purpose of repealing the act No. 52, of the Legislature of 1864, granting canal and land privileges to certain parties from Vermillion Bay to Sabine river, of which an epitome was given in yesterday's report. The gentleman thanked the Senate for the indulgence they had so frequently extended to him, in assenting to suspension of the rules to allow him to forward measures, thus showing him not only courtesy, but confidence. He had never appealed to them, however, more earnestly for it than he felt his duty to do on the present occasion. The gentleman then read the bill section by section, commenting on the extravagance and wantonness of the cessions made and the privileges granted under this extraordinary measure. Fortunately, he said, the grantees had not complied with the conditions required by the law, and had therefore not acquired any vested right in the grant. In order to prevent this from being done, it was important that the act should be repealed at once. He had taken great pains to inquire into this point, and was satisfied that he was correct in the statement he had made. In order to throw some light upon the subject he would read to the Senate some information about it which he had been furnished by a respectable, practical, disinterested and intelligent surveyor. The gentleman then read the following:

1. The United States, in 1849-'50, granted to the State of Louisiana all the swamp and overflowed lands upon the condition that the State would use the money accruing from the sale of said lands to the building of levees and reclaiming overflowed districts.

2. By reference to the 3d section of said act No. 52, it will be seen that the incorporators have had donated to them all the lands south of the line of location, from Vermillion Bay to the Sabine, so that the Gulf of Mexico will be the Southern boundary of the grant; and besides they are vested with the titles to all the State lands parallel to the line of the canal for a distance of twenty miles on the north of said canal. Now, taking for granted that on the south of said canal the distance to the Gulf is twenty miles, (though for most of the way it is more) there has been granted a belt of land 40 miles in width by 130 in length, which is equal to 3,320,000 acres. This taken from 4,644,867 acres, (being the amount of the unsold swamp lands of the State, as per Register's report,) leaves only 1,324,000 acres to the State.

3. From a careful and personal inspection on the ground, I can say that this grant divests the State of a large and most valuable body of timber, which is now in great demand, and can be sold in a short time at the maximum of $1 25 per acre, and will extract a large and lucrative trade with that portion of the State.

4. By a careful inspection of the act No. 52 it will be seen that the State has no security for the completion of this canal, and that the parties interested, when they shall have performed a small portion of the labor necessary to open twenty-five miles of the canal, that then the Governor shall cause titles to be made out for the one-fifth of the entire grant to 666,000 acres, this can be sold at $1 25. Now, I am free to say, that the twenty five miles necessary to the securing the one-fifth of the entire grant is now open to navigation for vessels drawing three and a half feet of water.

This, he thought, would convince the Senate of the character of this operation, and he hoped they would at once pass the bill repealing the act referred to; wherefore he would move for a suspension of the rules for the purpose of carrying it through its various stages. At the same time he begged to say that if delay was wished for, he had no desire to hurry the measure through.

The bill was then read a first and second times under a suspension of the rules.

On its being taken up for the third reading, Mr. Burthe objected, and moved to refer the bill to the Committee on Public Works, Lands and Levees. If the gentleman from St. Mary (Mr. Palfrey) had stated that he knew the facts alleged of his own knowledge, they would not need inquiring into, but they were given only on the authority of third parties.

Mr. Wilcoxon objected to the reference, and hoped the bill would be passed at once.

Mr. Gibson said the mere recital of the bill was sufficient to show its character. It was one of the most outrageous acts that ever emanated from a deliberative body. He was satisfied if members would just look at, or had listened to it as he had, they would require no testimony whatever about it.

Mr. Palfrey said he had no desire to force his repealing bill through, and would rather second the motion of the gentleman from Jefferson (Mr. Burthe) than do so. In addition to the arguments he had already advanced, however, why the act ought to be repealed, he would state that the existence of such an act was sufficient to depreciate the value of the bonds which the Governor had been authorized to sell for levee purposes. The bill, he would also remind Senators, had already been before the Committee on Public Works, Lands and Levees, who had instructed him to bring in the present bill.

After some few further observations, the question was put on the motion to refer, which was negatived.

The question for a further suspension of the rules was then put and carried, and the bill read a third time and passed.

On motion of Mr. Munday it was ordered to be sent to the House immediately.

On motion of Mr. Mohan the New Orleans city election bill was ordered to be sent to the House immediately.

The Senate then adjourned to 12 M. to-morrow, Friday, January 26, 1866.

House of Representatives.

The House came to order at 12 M., seventy-one members present, Speaker Cage presiding.

Prayer by the Rev. Dr. Walker, of the Methodist Church.

Mr. Deport asked for a suspension of the rules to move a reconsideration of the resolution denying to the chairmen of certain committees extra compensation, but the House refused the request.

Mr. Green introduced a resolution directing the State Printer to transmit to each Clerk of the District and Supreme Courts a copy of the official journal containing the authenticated proceedings of the Assembly, until the laws enacted should be published.

Mr. Elam read the law showing that it was the duty of the Printer to send copies of his paper as proposed by the resolution to the office of the Secretary of State, whose duty it was to forward the papers. The resolution was therefore uncalled for, but he (Mr. E.) should oppose under any circumstances any additional expense in connection with the printing business, as upon looking over the report of the State Treasurer he found that the cost of printing for the extra session was large.

Mr. Scanlan was satisfied the Printer had performed his part, for he (Mr. S.) had seen large piles of the official journal in the office of the Secretary of State, and presumed that officer had not forwarded them for want of mail facilities.

The resolution was rejected.

On motion of Mr. Richards, Chairman of the Joint Special Committee for the selection of a site for a State House, that committee was continued, with the powers previously vested in it.

Mr. Stille, Chairman of the Joint Special Committee appointed at the extra session to collect evidence against the right of Messrs. Hahn and Cutler to seats in the Federal Senate, submitted a voluminous report, five hundred copies of which were ordered to be printed.

Mr. Richards, from the Joint Special Committee on a site for a State House, submitted the views of the committee, that the site selected should be of convenient access to the business center of the city, and should at the same time be so situated as to be free from the disturbances caused by the vicinity of noisy thoroughfares. In behalf of the committee, Mr. R. also presented a bill appropriating one hundred thousand dollars for the purchase of the ground and to pay the expenses of plans and estimates of buildings. He likewise, from the same committee, offered a resolution authorizing the Governor to lease for the State, for a period of ten years, the Mechanics' Institute, for a legislative hall and for State offices, and to have the alterations made that are necessary to adapt the building to a State House. All of which lie over under the rules.

Mr. Scanlan introduced a bill requiring bakers, under certain penalties, to stamp the weight on the loaves they sell. Lies over under the rules.

Mr. Elam, from the Judiciary Committee, reported favorably on the bill to incorporate the town of Tangipahoa, in the parish of St. Helena.

Mr. Murray, from the Committee on Charitable Institutions, reported favorably, by substitute, on Mr. Fenner's bill to license the sale of lottery tickets.

Mr. McEnery introduced a bill to amend Article 440 of the Code of Practice. Referred to the Judiciary Committee.

Mr. Solomon—A joint resolution for the appointment of a joint committee to revise and amend the charter of the city of New Orleans, and moved the adoption of the resolution.

Mr. Jonas saw no evidence before the House that the charter required amendment. If amendments were necessary, let gentlemen introduce them in the form of bills, and then the subject could be considered intelligently and specifically.

Mr. Solomon argued that the charter did need amendment, and his resolution was proposed to expedite business.

Mr. Bailey's objection to the resolution was that he did not think the present the proper time to amend the charter. The city charter and the Constitution of the State were connected with each other more or less, and until it was determined what amendment should be made to the Constitution, he thought they could not proceed to amend the charter without the hazard of constitutional inconsistencies.

Mr. Scanlan would support the resolution, for the people had been demanding amendments to the charter for the last two years, and as the probability was they would soon have a city election, he wanted the amendments made before the election, so that the officers chosen should not acquire vested rights under the charter as it now stands. He hoped the people of New Orleans would be allowed, at the earliest moment possible, to choose their own rulers.

Mr. Murray thought it would be time enough to amend the charter when the right of the city to its municipal elections was acknowledged. In his opinion, the proper course would be for the whole city delegation to meet and revise the charter, and if amendments were found necessary, the House would have the benefit of the views and experience of every representative of the city. He, therefore, moved as a substitute for the resolution that the subject be referred to the city delegation.

Mr. Solomon accepted the substitute.

Mr. Scanlan preferred the original resolution, because, to his mind, the whole State had an interest in the character of the charter of the city and its government, and therefore gentlemen from the rural parishes should, in some part, compose the committee. The Mayor of New Orleans now exercised more political power than the Governor, and was it not erroneous to regard the influence of such an office as exclusively a consideration for the city.

Mr. Murray's substitute was adopted.

Mr. Head introduced a bill for the relief of J. Prescott, of Mount Lebanon, parish of Bienville. Referred to the Judiciary Committee.

Mr. Halsey introduced a bill to extend the corporate limits of the town of Donaldsonville. Referred to Judiciary Committee.

Mr. Montgomery introduced a bill to amend Article 964 of the Code of Practice. Referred to Judiciary Committee.

Mr. Austin introduced a bill to exempt from taxation for the years 1862, 1863 and 1864 properties which had been seized and used by military authorities without compensation. Referred to Finance Committee.

Mr. Decker introduced a bill to extend the jurisdiction of Justices of the Peace in the rural parishes in criminal matters. Referred to Judiciary Committee.

Mr. Solomon presented a bill, which, the rules having been suspended, was passed, to abolish one of the election polls at Mineburg, in the Parish of Orleans, leaving but one poll, which is all that is required for that precinct.

Mr. Stille offered a series of amendments to the Constitution of 1864, giving the Governor the appointment of the Judiciary, who, it is provided, shall hold office during good behavior, and who shall appoint the clerks of their respective courts, which clerks shall hold office during the pleasure of their respective judges; giving also to the Governor the appointment of Secretary of State, Attorney General and District Attorneys, Sheriffs, Coroners and Justices of the Peace; giving to the General Assembly the election of State Treasurer and State Auditor; subjecting all able bodied white men to military duty; prohibiting the Legislature from passing any law fixing the value of labor on public works. These amendments also provide that the appointing power vested in the Governor shall be exercised, subject to approval by the Senate of the nominations. All referred to Committee on Constitutional Amendments.

Mr. Blackman presented a bill to exempt from State, parish, or municipal taxation, until 1869, the property of disabled soldiers, or of the widows or orphans of soldiers who died in service, the property exempted not to exceed $1000 in value.

Mr. Freret offered a resolution, which was adopted, for the appointment of a joint committee to examine the affairs of the New Orleans Canal and Banking Company.

Mr. Thieneman introduced a bill requiring attorneys at law to record their licenses in the office of the Clerk of the Supreme Court, under penalty of disability to practice. Referred to the Judiciary Committee.

Mr. Tucker introduced a bill for the relief of Charles Carr, of the parish of St. Mary. Referred to the Committee on Claims.

Mr. Murray introduced a bill to regulate and organize the police force of New Orleans, and vesting the appointment and government of the police in a Board, of which the Mayor is to be *ex officio* a member. Referred to the city delegation.

Mr. McEnery introduced a bill requiring witnesses summoned before grand juries not to reveal what transpires while they are before the juries. Referred to Judiciary Committee.

Mr. Walker introduced a bill defining the duties and fixing the compensation of State tax collectors. Referred to Finance Committee.

Mr. Solomon introduced his bill, which remained among the unfinished business of the extra session, relative to the police of New Orleans and creating a police board, with the Mayor, *ex officio*, a member, in which board the appointment and regulation of the police is to be vested. Referred to the city delegation.

Mr. Montgomery introduced a bill for the relief of Josiah Reed, a veteran of 1814-'15. Referred to Committee on Claims.

Mr. Kidd introduced a bill appropriating $75,000 for the expenses of the session. Referred to the Committee on Contingent Expenses.

Mr. Green reintroduced his bill, which remained unacted upon at the extra session, to facilitate the recovery of strayed, lost or stolen property. Referred to Judiciary Committee.

Mr. Elam presented a bill, which, the rules having been suspended, was passed, to authorize the election of an additional Justice of the Peace and Constable in ward No 1, of the parish of DeSoto.

Mr. Tucker reintroduced a bill, which remained among the unfinished business of the called session, for the relief of Benjamin Bloomfield, of New Orleans. Referred to the Committee on Claims.

Mr. Thieneman introduced a bill relative to suspensive appeals; also, a bill prohibiting clerks of courts from exacting payment of costs before the termination of suits, when such clerks have security for costs. Both referred to Judiciary Committee.

Mr. Green introduced a bill to punish as a misdemeanor the practicing of medicine without a diploma. Referred to Judiciary Committee.

A message was received from the Governor, transmitting the annual report of the State Treasurer, which was referred to the Finance Committee, and also transmitting the annual report of the Board of Administrators of the Deaf and Dumb and Blind Institution, which report was referred to the Committee on Charitable Institutions.

A communication from Colonel Edmonston, commanding the regiment of New Orleans militia, in reference to a militia fund, and stating the he expected the Governor would communicate his views on the subject to the Assembly, was, after some remarks from Messrs. Elam and Scanlan, as to the great expense the Colonel was putting the State to in advertising, referred to the Finance Committee.

THE CONSTITUTION QUESTION.

The House resumed, as the order of the day, the resolution of Mr. Eustis, for the appointment of a special committee to revise and amend the Constitution of 1864, and the substitute offered by Mr. Jonas to refer all proposed amendments to the Standing Committee on Constitutional Amendments.

The question pending when the House adjourned from the consideration of the subject yesterday was a motion by Mr. Elam to lay Mr. Jonas' substitute on the table.

Mr. Eustis requested Mr. Elam to withdraw his motion.

Mr. Elam did so.

Mr. Jonas withdrew his substitute.

Mr. Eustis remarked that two distinct votes taken on this question yesterday had clearly expressed the will of the House, and inasmuch as his resolution had been construed as a reflection on the Standing Committee of the House, he would, for conciliation and harmony, ask leave to withdraw the resolution.

Mr. Bailey would vote against the withdrawal. He was in favor of the appointment of a special committee, because the standing committee had been appointed in contemplation of a Constitutional Convention being called, and had committed themselves on that subject. The purpose of Mr. Eustis' resolution should not be construed as a reflection upon the standing committee, nor, justly viewed, could it be so regarded, for it was a common parliamentary practice, void of offense, to modify the composition of committees, and constitute them in accord with the views and sentiments of the body whose measures they were to digest or shape. In the present circumstances of the country, he did not feel himself bound by any pledges or instructions on this subject, given at the time of the election. His constituents did not send him there as a machine, but to exercise his best judgment for their interests, and such changes had taken place since the election that he should regard himself as unfit to be a representative if he failed to ignore a pledge or instruction which had in view a very different state of affairs from that in which Louisiana now found itself, or to accommodate his policy to the requirements of public interest.

Mr. Scanlan said he had been asked, in relation to his vote yesterday, what he was driving at? and he wished the House to know what it was. One of the very first things he did in entering upon his legislative duties at the called session was to introduce a bill providing for the immediate call of a constitutional convention and an adjournment of the Assembly, upon the passage of the bill. He did this in compliance with the platform on which he was elected. He regarded the Legislature as being convened and sitting without constitutional authority, but when the House passed over the constitutional question, and proceeded regularly to legislation, and when, as had been observed by Mr. Eustis, members subscribed to the Constitution of 1864, he thought it fanciful to speak longer of that Constitution as a nonentity. He was now therefore, in favor of amending that Constitution, and endeavor to adapt it to the requirements of the people, so that they can live under it, until a more auspicious time arrived for a convention. He denied that the conquest of Louisiana had taken from her her constitutional rights. These rights were only in abeyance temporarily. So soon as the rule of the sword was withdrawn they would be asserted and recognized. But as we were now under the sword, let us make the best of it, and avail ourselves of whatever was allowed to improve our condition. It had been imputed to him, he said, that he wanted office from the Governor, but he wanted no office either from Governor or any one else, and in the votes he had given or would give, should be guided by no consideration other than a sense of public duty.

Mr. McCloskey regretted that his sense of duty constrained him to differ with his colleagues who represented the same constituency as himself, but he could not be induced to touch the Constitution of 1864. Having witnessed the vile instrumentalities by which that creature of fraud and corruption and violence was brought into existence, no arguments of expediency, however plausible, should persuade him to accept it as the fundamental law of Louisiana, or directly or indirectly give his sanction to the iniquities in which it was conceived. Common laborers were discharged from public work because they would not lend themselves to those iniquities, and men from all parts of the world, from the North, from Germany, from England and Ireland, who had not been five days in the State were the parties who foisted that Constitution on the State, and it was the duty of every true citizen of Louisiana to repudiate it in toto.

Mr. Jonas trusted the House would allow the resolution to be withdrawn. Its withdrawal would restore the harmony which for a brief period had been interrupted. He believed that a majority of the standing committee were now in favor of amending the Constitution of 1864.

Messrs. Bailey and Scanlan withdrew their objections to a withdrawal.

Mr. Eldridge would not consent to the resolution being withdrawn, as he wanted some speedy and decisive action on this Constitution question, which had been so often postponed and deferred. Such action was needed on account of the condition of the people, resulting from the war and its consequences. He knew how the Constitution of 1864 had been concocted, and admitted that no epithet was too severe for it, but he did not agree with the gentleman from St. Mary, (Mr. Tucker,) that the only expression of public opinion in regard to it was that of condemnation and repudiation, for throughout North Louisiana, despite his own remonstrances and the remonstrances of others (who loathed that Constitution, the people responded to the invitation of Gov. Wells, by recommending to him persons suitable for local offices. Moreover, by the election in November last, by the act of legislation by this Assembly, that instrument was recognized as the Constitution of the State. We had taken a bad thing, and all we had to do was to make the best we could of it.

Mr. Tucker agreed that it would be well to determine soon what should be done with this Constitution question, but he did not think the plan suggested would accomplish that. He could foresee that from this day to the close of the session, if they undertook to resolve themselves into a Constitutional Convention and tinker that Constitution, nothing else would be done. The minds of members would be engrossed with the subject to the exclusion of all others. The number of amendments handed in by Mr. Stille this morning would give gentlemen an idea of the herculean labor before them. He was not prepared for this labor. He was not sent here to perform it, but for ordinary legislation. If the resolution, which he was glad to see the able gentleman who introduced it was forced to withdraw, was adopted, the question would be decided at once, and the House would be converted into a Constitutional Convention. Some twenty amendments had been proposed this morning by one gentleman, and if the door was opened they would have a hundred. They would consume their sixty days in this work, and return, without accomplishing anything desirable, to their constituents. He repeated his argument used yesterday, that unwilling submission by the people or their agents to the force of circumstances could not fasten upon them an abhorred Constitution, and, declaring his purpose of introducing a bill for a convention, hoped the resolution before the House would be retired.

On motion of Mr. Lagrone the previous question was ordered and Mr. Eustis was allowed to withdraw his resolution.

On motion of Mr. Jonas, the Senate bill providing for a municipal election in the city of New Orleans was made the special order for 1 o'clock to-morrow.

A resolution offered by Mr. Halsey was adopted, requiring the Finance Committee to report as early as practicable on the annual reports of the State Treasurer and State Auditor.

The House then adjourned to noon to-morrow.

Local Intelligence.

APPOINTMENTS BY THE GOVERNOR.—Polk Willis, constable for Calcasieu parish; John Strother justice of the peace for Calcasieu ward.

G. L. Fusilier, police juror for the 3d ward, parish of St. Mary.

Richard Parkenson, commissioner of deeds for the State of Mississippi.

Thos. Kleinpeter, surveyor for the parish of Iberville.

G. Vincent, justice of the peace for the 3d ward, parish of St. Mary.

STOLEN PROPERTY FOUND.—We noticed sometime ago that a large amount of jewelry had been stolen from Mrs. Henderson, at the corner of Canal and Carrone, a part of which was since found at Mrs. Silverstein's store on Poydras street. Day before yesterday it was found out that a heavy guard chain, worth about $500, which had been missing with the other articles, was in the possession of a gentleman of this city, whose name it is useless to mention. Special officer Siddons went immediately in quest of this gentleman, and having identified the chain, it was brought to the Chief's office yesterday, the gentleman at the same time giving a description of the man he had bought it from, whom, he said, he knew very well, and had never so much as suspected of dishonesty. Since then, one bracelet, a pair of ear rings and a ring, all of gold and the finest workmanship were found in the possession of a certain woman, a frail daughter of Eve, to whom they had been presented by the same individual who had sold the chain. They are now in the possession of the Chief. The thief, it is supposed, has left the city, but our vigilant detective police have their eyes wide open, and what with the telegraph and energetic wakefulness, they are confident of soon bringing him to condign punishment. The Chief of Police has telegraphed to Mobile, Natchez and Vicksburg to have him overhauled.

ATTEMPT AT BURGLARY.—Night before last there was an attempt made by some thieves to break open the confectionery store of Mr. Prosper Levy, No. 153 Camp street, opposite St. Patrick's Church. They went to work between 2 A. M. and daylight, bursting a hole through the door by means of an iron bar. The watchman happily arrived in time to prevent them from perpetrating their evil undertaking, and they fled, leaving the iron bar in the door. None of the inmates of the house were awakened, and they knew nothing of the danger which their property had incurred until they awoke yesterday morning. The police being then notified, special officer Tower visited the place, and found a part of the door broken, and took to the station the iron bar which had served to do it. The robbers have not yet been arrested.

LARCENY.—Jake Bentley, Wm. Marshall and Adolphe Grouser, all of the colored species, were arrested yesterday for stealing oranges. Simon Diggs, of the same race, was brought to the lock-up upon the more serious charge of buying a gold watch and chain with the full knowledge that the same was stolen property.

ARREST OF ROBBERS.—George Wright, alias Wm. Williams, and George Williams, alias George W. Hilltoy, were arrested yesterday at No. 277 Carondelet street, by order of Sergeant Petrie, charged with robbing Mr. Fairchild's house, on St. Charles street, of $400 worth of jewelry, watches and silverware.

UNITED STATES DISTRICT COURT.—W. A. Hayes vs. steamship Carlotta. It is ordered that Mr. Hayes have judgment for $500, payable in gold or its equivalent. After deducting this and the legal costs, the proceeds of this vessel are to go to Jno. H. Keep, for his claim in this case.

U. S. vs. 156 cases of gin, 49 do. of champagne, and 56 do. of Scotch whisky. In this case the libel was dismissed.

U. S. vs. the property of P. S. Willis. The costs due in this case having been paid, the rule taken on the 22d is discontinued.

U. S. vs. steamer St. Cloud. The argument supporting an application to the Secretary of the Interior having been heard, the Court took the matter under consideration.

FIRST DISTRICT COURT.—State vs. Geo. A. Storm, charged with the murder of Wm. C. Seavier, on September 11th, 1865. On motion of Messrs. Foute & Gibson, of the council for defendant, it was ordered that this case be continued indefinitely.

RECORDER KRUSSEE'S COURT.—J. D. Burkett, Wm. Barley, T. Morris, Wm. Lowry, Thos. Snobson, Pat. Henry, Pat. Murray, for drunkenness, and Owen Bentley, John Marshall and A. Grammar, for larceny, were each sentenced to a fine of five dollars or five days' imprisonment.

Mary Borgner was sent to the workhouse for thirty days upon the charge of drunkenness.

Pierre Martin and Wm. Francis were sent to the workhouse for three months upon the charge of being dangerous characters.

Paul, colored, was sent down for two months upon the charge of vagrancy.

Chas. Kemper and Louis Harrison, charged with larceny, and Dennis Callaghan with cotton stealing, were sent to the First District Court and admitted to bail in the sum of $250.

Wm. Saxton and John Coo, charged with stealing cotton, were sent before the same tribunal, and their bail fixed at $500.

In the case of David O'Leary and John O'Leary, charged with assault and battery upon Andrew Shealey, all the parties were required to give peace bonds for six months in the sum of $250, and John O'Leary fined fifteen dollars for carrying concealed weapons.

RECORDER GASTINEL'S COURT.—Richard Brown and Michael Flaherty, arrested on Front Levee street, charged with fighting and disturbing the peace, were each sentenced to $5 fine, or ten days imprisonment.

Thomas Pike, who was picked up on Royal street in a state of beastly intoxication, was sentenced to a fine of $4, or ten days imprisonment.

Tiers were five prisoners dismissed upon examination.

A. B. Sharp, charged with assault and battery, waived examination and was sent for trial to the First District Court. He was admitted to bail in the sum of $250.

PROVOST COURT.—Wm. Eagan, 11th