

New Orleans Daily Crescent.

OFFICIAL JOURNAL OF THE STATE OF LOUISIANA. MONDAY MORNING, FEBRUARY 5, 1866. REGULAR SESSION OF 1866.

LEGISLATURE OF LOUISIANA. REGULAR SESSION OF 1866.

SENATE. THURSDAY, February 1, 1866.

The Senate met pursuant to adjournment. Present, the Hon. Albert Woodruff, Lieutenant Governor and President of the Senate, and Messrs. Anderson, Armstrong, Barrow, Bell, Brule, Burthe, Campbell, Coe, Cooley, Devigneaud, Egan, Ellis, Fellows, Foster, Gordon, Kelso, Kenner, Lapeyre, Leitch, Mahan, Munday, Newton, Nelson, PalFREY, Poche, Porell, Strangus, Taylor, Welch and Wilson—31 Senators.

The proceedings were opened with prayers offered by Rev. M. C. S. Hedge of the Episcopal Church.

The journal of yesterday was read and approved.

BILL WITHDRAWN. On motion of Mr. Devigneaud, leave was granted him to withdraw from the files of last session, Senate bill entitled an act relative to hospitals.

MEMORIALS AND PETITIONS. Mr. Bell presented to the Senate the report of the State Librarian by the Secretary of State, in relation to the condition of the State Library, the reading of which was dispensed with, and on motion of the same Senator it was ordered to be referred to a select committee of five.

Whereupon the President appointed Messrs. Bell, Mahan, Cooley, Poche and Welch, on said committee.

Mr. Bell also submitted to the Senate the petition of Mr. B. L. Lynch and others, contesting the seat of Mr. Corneille Fellows as Senator from the city of New Orleans, the reading of which was dispensed with, and on motion of the same Senator, it was ordered to be referred to the Committee on Elections, with powers to send for persons and papers.

EXECUTIVE COMMUNICATIONS. The President submitted to the Senate the following communication from his Excellency the Governor.

STATE OF LOUISIANA, EXECUTIVE DEPARTMENT, New Orleans, January 31, 1866.

To the President of the Senate: I transmit herewith the annual report of the supervisors of the Seminary of Learning and Military Academy, together with accompanying documents referred to.

J. MADISON WELLS, Governor of Louisiana.

On motion of Mr. Kenner, the above communication was ordered to be referred to the Committee on Public Education.

NOTICES OF BILLS. The hereinafter named Senators, respectively, gave notice of their intention to introduce, at some future day, the following entitled bills, to-wit:

Mr. Wilcox—An act providing for the appointment of under-takers of aoc, in certain cases.

Mr. PalFREY—An act having for its object the modification of the bank mortgage system.

Mr. Poche, in pursuance to previous notice given, asked and obtained leave to introduce a bill entitled an act to repeal an act entitled "an act to exempt from seizure and sale a homestead and other property," approved on the 23d day of December, 1865, which underwent its first reading, and it was ordered to a second reading on to-morrow.

REPORT OF AN ENROLLED BILL. Mr. Brule, from the Committee on Enrolled Bills, reported as correctly enrolled Senate bill entitled "an act to authorize the police jury of the parish of St. Mary to reduce the number of police jury wards in said parish to five, and to fix the limits of the same," and the Secretary was directed to request the signature of the Speaker of the House thereon.

Mr. Lapeyre—An act to regulate the sale of property seized under an order of seizure and sale and writs of fieri facias.

An act prohibiting creditors forcing debtors to make a surrender of property in certain cases.

All of which bills underwent their first and second readings by their respective titles, and they were severally referred to the Committee on the Judiciary.

Mr. Gordon—An act for the relief of the Treasury of the State of Louisiana.

Which underwent its first and second readings by its title and it was ordered to be referred to the Committee on Finance.

Mr. Brule—An act for the better protection of the assured citizens and residents of Louisiana.

Which underwent its first and second readings by its title and it was ordered to be referred to the Committee on Commerce, Manufactures and Agriculture.

Mr. Taylor—Joint resolution relative to Deaf, Dumb and Blind Asylum at Baton Rouge.

Which underwent its several readings, it was adopted, and the Secretary was directed to request the concurrence of the House therein.

REPORTS FROM STANDING COMMITTEES. Mr. Newton of Jackson, from the Committee on Public Education to whom was referred Senate bill entitled an act for the relief of Thomas P. Harrison and the heirs of A. T. Hawkins Durall, submitted a favorable report.

And the same Senator from the same committee, to whom was referred Senate bill entitled "an act for the relief of public school trustees," submitted an adverse report.

Mr. Wilcox, from the Committee on Contingent Expenses, to whom was referred Senate joint resolution for the relief of Dr. S. O. Struggles of the parish of Natchitoches, submitted a favorable report by the following resolution.

Resolved, That the sum of two hundred and fifty dollars be allowed to Dr. S. O. Struggles of Natchitoches, for his pay, fees and mileage as a constable of the parish of St. Charles, during the session of the legislature, said sum to be paid to Mr. S. O. Struggles out of the contingent fund of the Senate on his own warrant.

On motion of Mr. Wilcox, the above resolution was unanimously adopted.

MESSAGE FROM THE HOUSE. Mr. W. H. Massey, assistant clerk of the House of Representatives, requested the concurrence of the Senate in House bills and joint resolutions of the following title, viz:

An act authorizing the banks to discount paper at eight per cent. per annum.

And joint resolution relative to the founding of a Soldiers' Home for the State of Louisiana.

He also requested the signature of the President of the Senate to House enrolled bill entitled "an act to provide for the payment of members, officers and contingent expenses of the General Assembly of the State of Louisiana," which received the signature of the President of the Senate and was, by the Secretary, returned to the House of Representatives.

By the same message, the Senate was informed that the Speaker of the House had signed Senate enrolled bills of the following title, to-wit:

An act to authorize the police jury of the parish of St. Mary to reduce the number of police jury wards in said parish to five, and to fix the limits of the same.

An act for the relief of the sureties of A. J. Law, late Sheriff of the parish of East Feliciana.

And an act to provide for the election of parish and district officers throughout the State.

Which bills received the signature of the President of the Senate and were by Mr. Brule given to the Committee on Enrolled Bills, submitted to his Excellency the Governor, for his approval and signature.

On motion of Mr. Gordon, the rules were suspended and the Senate proceeded to the consideration of Senate bill entitled an act to authorize the lease of the new Canal.

On motion of Mr. Kenner, the original bill for which the above is a substitute reported by the Finance Committee of the Senate, was ordered to lie on the table.

The substitute was then taken up and adopted section by section, it underwent its second and third readings, it passed, and the Secretary was directed to request the concurrence of the House therein.

UNFINISHED BUSINESS. The Senate resumed the consideration of the unfinished business of yesterday, being Senate bill entitled an act for the organization of corporations to engage in a factory and commission business or in agricultural operations.

The pending question being the adoption of the first section of said bill.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That it shall be lawful for any number of persons, not less than six, or complying with the provisions following, to form themselves into and constitute a corporation for the purpose of engaging in a factory and commission business and in agriculture; but no corporation shall be organized under this act with a capital stock of less than one million of dollars, nor any corporation so organized be authorized to commence business before five hundred thousand dollars in cash of its capital shall be actually paid in.

Mr. Gordon moved to amend the first section by striking out therefrom in the twelfth line the words "one million of," and by inserting in lieu thereof the words "five hundred thousand," and in the fourteenth line to strike out the words "five hundred," and by inserting in lieu thereof the words "two hundred and fifty."

Mr. Poche moved to lay the bill on the table, which motion was not agreed to.

The question returned on Mr. Gordon's amendment, and the same was adopted, and the first section was adopted as amended.

The second, third and fourth sections were read and adopted serially.

Mr. Victor Burthe in the Chair.

Sec. 2. Be it further enacted, etc., That it shall be lawful for the stockholders of any corporation, at a general meeting convened for that purpose, to make any modifications, additions or changes in the act of incorporation, or to dissolve it with the assent of three-fourths of the entire stock; and any such modification, addition, change or dissolution, shall be recorded, as required by the preceding section.

On motion of Mr. PalFREY, the fifth section was amended by inserting after the word "incorporation," in the sixth line, the following words, to-wit: "not contrary to the provisions of this act, nor substituting other objects than those contemplated by the provisions of the first section of the same."

Pending the consideration of the fifth section as amended.

EXECUTIVE SESSION. On motion of Mr. Devigneaud, the Senate proceeded at closed doors to the consideration of executive business, and after some time therein spent, the doors were reopened.

When, on motion of Mr. Gordon, the Senate adjourned until to-morrow at 12 o'clock.

HENRY J. KELLY, Secretary of the Senate.

HOUSE OF REPRESENTATIVES. HALL OF THE HOUSE OF REPRESENTATIVES, New Orleans, Wednesday, Jan. 31, 1866.

The House met at 12 o'clock. Present—Hon. D. S. CAGE, Speaker, and Messrs. Austin, Alverton, Addison, Bailey, Barry, Bessel, Blackman, Brown, Buie, Bruton, Collins, Covillion, Daigle, Debatte, Depoiter, DeLaharpe, Drew, Dittie, Durand, Duffel, Dugas, Easton, Egan, Ellis, Fellows, Edwards, Fagot, Fenner, Fremont, Furbush, Fuller, Gales, Gaudin, Gault, Green, Hanlon, Halsey, Harrison, Head, Hatch, Hayes, Higgins, Holt, Hudspeth, Jones, Kelly, Kidd, Kille, Lagrove, Lemarie, LeBlanc, Martin, McKelvey, McEnery, McConnell, McCloskey, Moreland, Murray, Nutt, Ormond, Peterson, Phillips, James, Powell, Porell, Prudhomme, Regenberg, Richardson, Richards, Rogers, Robinson, Ryan, Scanlan, Solider, Smith, Suller, Smith, Walker, Whitington, Waggaman, Williamson, Waddell and Weeks—33 Representatives.

Prayer was offered by the Rev. Mr. Hodges.

The reading of the journal of yesterday was dispensed with, on motion of Mr. Kidd.

Mr. S. P. DeLaharpe, Chairman, on behalf of the Committee on Enrollment, reported as correctly enrolled an act to authorize W. M. Goodrich to withdraw from the records of J. T. C. Gore, Notary Public, an original act of sale, and substitute therefor a duly certified copy.

As an act to repeal an act amending Article 253 of the Civil Code.

At the request of Mr. DeLaharpe leave of absence for ten days was granted to the Hon. C. Davenport, of the parish of St. Charles.

Mr. Austin offered the following:

Resolved, That the bill entitled an act to regulate the duties and fix the compensation of State Printer, offered yesterday and referred to the Committee and referred to the Committee on Printing.

The resolution was adopted.

On motion of Mr. Stille, it was Resolved, That the Committee on Public Printing be instructed to report the bill just referred to the House on Saturday morning.

On motion of Mr. Egan, House bill No. 21, entitled

An act for the relief of J. Q. Prescott of the parish of Bienville.

Was recommended to the Committee on the Judiciary.

On motion of Mr. Gales, it was Resolved, That a special committee composed of the majority of the St. Landry delegation be appointed to examine the buildings of the Franklin College, at Opelousas, and report upon the condition of the same as soon as possible.

Mr. Murray, Chairman, on behalf of the Committee on Charitable Institutions presented the following

REPORT OF THE COMMITTEE ON CHARITABLE INSTITUTIONS ON THE LOUISIANA DEAF, DUMB AND BLIND INSTITUTION AND JACKSON (L.A.) DEAF AND BLIND ASYLUM.

The Honorable the Speaker and Members of the House of Representatives—Your committee beg leave to make the following report in regard to the above named institutions:

The Deaf, Dumb and Blind Asylum at Jackson is an institution of great importance. Sympathy for its inmates is a religious duty that should be properly cared for, and your committee feel the attention of the General Assembly specially to this institution. During the past year this institution has sustained itself amid great inconveniences, and its

administration during the past four years reflects credit on the Board of Administration.

With a view to its relief, your committee beg leave to submit the accompanying bill which is hereto annexed, as part of this report, (marked A.) in reference to the Deaf, Dumb and Blind Institution, your committee would remark that there is a balance of \$1500 due this institution from former appropriations, and recommend the payment of past warrants for charitable purposes to the earnest consideration of the Finance Committee in providing ways and means, and to the attention of the Treasurer.

This institution, like the other charitable institutions of the State, is under the control of the State, should have precedence in the humanity and direct support from the General Assembly.

The thanks of the Legislature are due to Wm. S. Pike, Esq., for his kindness in making personal advances for the immediate wants of the institution, and your committee beg leave to offer the following resolution:

Resolved, That the sum of twelve thousand five hundred dollars be and is hereby appropriated from funds not otherwise appropriated, to be paid in favor of the President of the Board of Administrators for Deaf, Dumb and Blind Asylum at Baton Rouge.

All of which is most respectfully submitted.

THOS. MURRAY, Chairman.

Committee on Charitable Institutions.

Mr. Murray, on behalf of the same committee, reported favorably upon the Report of the Board of Administrators of the Asylum for the Deaf, Dumb and Blind, and on his motion 200 copies of the said report were ordered to be printed.

Mr. Murray also reported favorably on the Annual Report of the Board of Administrators of the Deaf, Dumb and Blind, and on his motion 200 copies of the said report were ordered to be printed for the use of the House at Jackson.

Mr. Richards presented the memorial of Mrs. M. O. Clark, President and Directress of the St. Ann's Asylum for widows and their children, praying for relief;

Referred to the Committee on Charitable Institutions.

Mr. Robinson, Chairman, on behalf of the Committee on Banks and Banking, presented a report on the report of the Board of Currency and on Senate bill No. 27, entitled

An act to provide for the liquidation of certain banks, which had been referred to said committee.

On his motion, 200 copies of the report of the committee were ordered to be printed for the use of the House.

Mr. Gales, Chairman, on behalf of the Committee on Claims, reported on House bill No. 15, entitled

An act for the relief of Robert J. Caldwell; Favorably.

On House bills Nos. 54 and 63, entitled

An act for the relief of R. G. Cobb, and an act for the relief of T. S. Reichert; Favorably.

Mr. Walker, on behalf of the Committee on Finance, reported on House bill No. 43, entitled

An act for the relief of Antonio Marrero, of the parish of St. Bernard;

On House bill No. 86, entitled

An act to authorize the issue of State bonds for the purpose of paying certain debts;

Favorably.

And on his motion the bill was ordered to be read and adopted serially.

Mr. Gatt, on behalf of the Committee on Parochial Affairs, reported on House bill No. 23, entitled

An act to extend the limits of the corporation of Madisonville;

Favorably.

Mr. Murray, on behalf of the special committee composed of the city delegation, reported on House bill No. 35, entitled

An act to organize the police of the city of New Orleans, and to create a police board therein;

Favorably, by substitute.

Mr. Murray returned to the House, without report, House bill No. 50, entitled

An act to create two sheriffs for the parish of Orleans and define their duties;

Which, on his motion, was referred to the Committee on the Judiciary.

On motion of Mr. Austin, House bill No. 80, entitled

An act to define the duties and fix the compensation of State Printer.

Was withdrawn from the Finance Committee and referred to the Committee on Printing.

Mr. Robinson, Chairman, on behalf of the Committee on Banks and Banking, reported on Senate bill, entitled

An act to provide for the liquidation of certain banks; Favorably, with the following amendment:

Strike out the word "now," in the fourth line, and insert in the fifth line, after the word "State," the words, "on the first day of January, 1867."

Mr. Thieneman presented joint resolutions relative to the founding of a Soldiers' Home for the State of Louisiana.

The resolution was adopted, and Messrs. Thieneman, Waggaman, Peterson, Murray and Fremont were appointed on the part of the House as members of the special joint committee therein provided for.

BILLS INTRODUCED. The following bills were introduced, and, on a suspension of the rules, were read a second time and referred respectively as follows:

By Mr. Egan—An act to amend an 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, 1865;

To the Special Committee on Amendments to the City Charter.

By Mr. McHenry—An act for the relief of the heirs and legal representatives of Benjamin Ray, deceased;

To the Committee on Claims.

By Mr. Egan—An act to regulate forced sales of immovable property;

To the Committee on the Judiciary.

By Mr. Head—An act for the relief of James Upshaw, sheriff of the parish of Bienville;

To the Committee on Claims.

By Mr. Scanlan—An act to take the census of the State;

To the Committee on the Judiciary.

By Mr. Fenner—An act relative to parish and town taxes in the town of Houma;

To the Committee on Parochial Affairs.

By Mr. Williamson—An act to amend and re-enact an act entitled an act relative to forced surrenders, and the mode of making the same;

To the Committee on the Judiciary.

By Mr. Thieneman—An act establishing and defining the status of the former slaves of Louisiana, now known as freedmen;

To the Committee on the Judiciary.

By Mr. Butler—An act for the relief of William Hampton, and an act for the relief of Wade Hampton;

To the Committee on Claims.

By Mr. Holt—An act for the relief of F. G. Babin, keeper of the late State Depot at Baton Rouge;

To the Committee on Claims.

By Mr. Brown—An act for the relief of J. H. Riles, Assistant

Clerk of the House of Representatives for the year 1865;

To the Committee on Claims.

By Mr. Peterson—An act to fix the compensation of jurors in the parish of Orleans;

To the City Delegation.

By Mr. Williamson—Joint resolution to appoint a special committee to revise the penal code of Louisiana;

To the Committee on the Judiciary.

ORDERS OF THE DAY. The unfinished business of yesterday was taken up pending the motion of Mr. McConnell to lay on the table the amendment offered by Mr. Walker to House bill No. 1, entitled

An act authorizing the banks to discount paper at eight per cent. per annum.

The motion to lay on the table prevailed and the bill was read a third time and passed.

BILLS OF SECOND READING. Was taken up in its regular order.

Mr. Penne moved that the bill be indefinitely postponed, on which motion Messrs. Egan and Scott called for the yeas and nays with the following result:

Yeas—Austin, Addison, Bailey, Bessel, Blackman, Brown, Buie, Bruton, Daigle, Debatte, Delamare, Depoiter, Drew, Duffel, Egan, Fenner, Fuller, Gales, Green, Hanlon, Halsey, Harrison, Head, Hatch, Hayes, Higgins, Holt, Hudspeth, Jones, Kelly, Kidd, Kille, Lagrove, LeBlanc, Lemarie, LeBlanc, Martin, McKelvey, McEnery, McConnell, McCloskey, Moreland, Murray, Nutt, Ormond, Peterson, Phillips, James, Powell, Porell, Prudhomme, Regenberg, Richardson, Richards, Rogers, Robinson, Ryan, Scanlan, Solider, Smith, Suller, Smith, Walker, Whitington, Waggaman, Williamson, Waddell and Weeks—49 yeas.

Nays—Messrs. Alverton, Barry, Bruton, Collins, Dugas, Easton, Gatt, Green, Hanlon, Halsey, Harrison, Kille, Pajo, Rezenberg, Richards, Ryan, Solider, Smith, Suller, Pote, Theriot, Walker and Weeks—25 nays.

And the bill was indefinitely postponed.

An act to amend and re-enact an act entitled "an act to amend the 31st Article of the Code of Practice," approved April 20, 1853.

Mr. Fenner moved that the bill be indefinitely postponed, on which motion Messrs. Egan and Stille called for the yeas and nays, with the following result:

Yeas—Messrs. Austin, Alverton, Brown, Daigle, Delamare, Depoiter, Drew, Egan, Fenner, Fuller, Hanlon, Hatch, Hayes, Jones, Kelly, Kidd, Lagrove, LeBlanc, Lemarie, Martin, McKelvey, McEnery, Moreland, Murray, Nutt, Ormond, Peterson, Phillips, James, Powell, Porell, Prudhomme, Regenberg, Richardson, Richards, Rogers, Robinson, Ryan, Scanlan, Solider, Smith, Suller, Smith, Walker, Whitington, Waggaman, Williamson, Waddell and Weeks—49 yeas.

Nays—Messrs. Alverton, Barry, Bruton, Collins, Dugas, Easton, Gatt, Green, Hanlon, Halsey, Harrison, Kille, Pajo, Rezenberg, Richards, Ryan, Solider, Smith, Suller, Pote, Theriot, Walker, Waggaman, Waddell and Weeks—25 nays.

And the House refused to postpone.

On motion of Mr. Kenner the House adjourned.

THOS. L. MAXWELL, Clerk of the House of Representatives.

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