New Orleans Daily Crescent.

OFFICIAL JOURNAL

—OF—

THE STATE OF LOUISIANA.

THURSDAY MORNING, FEBRUARY 22, 1866.

OFFICIAL JOURNAL

—OF THE—

LEGISLATURE OF LOUISIANA.

REGULAR SESSION OF 1866.

SENATE.

TUESDAY, Feb. 20, 1866.

The Senate met pursuant to adjournment.

Present, Hon. Albert Voorhies, Lieutenant Governor and President of the Senate in the Chair; Messrs. Abney, Anderson, Armstrong, Bell, Brownlee, Bruslé, Burke, Campbell, Coco, Cooley, Duvignaud, Egan, Ellis, Fellowes, Foute, Gibson, Gordon, Hough, Kavanagh, Kenner, Lapeyre, Lelia Mohan, Munday, Newton of Jackson, Newton of Morehouse, Nelson, Palfrey, Poché, Purcell, Scruggs, Welch and Wilcoxon—33 Senators.

The proceedings were opened with prayer, offered by the Rev. Mr. Beckwith, of the Episcopal Church.

The journal of yesterday was read and approved.

MEMORIALS AND PETITIONS.

Mr. Gordon submitted to the Senate the memorial of Allen Jones, a resident of the city of New Orleans, praying for relief, the reading of which was dispensed with, and, on motion of the same Senator, it was referred to the Committee on Claims.

Mr. Kenner presented to the Senate the petition of the Ladies Benevolent Society of New Orleans, praying for relief, the reading of which was dispensed with, and, on motion of the same Senator, the petition was referred to the Committee on Charitable Institutions.

MESSAGE FROM THE HOUSE.

Mr. T. L. Maxwell, Clerk of the House of Representatives, requested the concurrence of the Senate in the following entitled House bills and joint resolutions, to-wit:

Joint resolutions relative to grant of lands, by Congress, to the State of Louisiana, by act approved June 3, 1856;

An act in relation to ferries across Red River, at the city of Shreveport;

An act for the relief of the heirs and legal representatives of Benjamin Ray, deceased;

An act to amend and renew the charter of the Catholic Church at Opelousas, St. Landry;

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

An act for the relief of G. B. G. Cobb;

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

An act for the relief of Robert J. Caldwell;

Concurrent resolution appointing a joint committee to take into consideration the memorial of citizens living on the Gentilly Road;

And that the Speaker had appointed Messrs. Solomon, Thieneman, Wiltz, Henry Phillips and McCloskey, the committee on the part of the House.

SENATE BILL FIXED FOR A PARTICULAR DAY.

On motion of Mr. Duvignaud, the motion made by him on yesterday, fixing Senate bill entitled an act to provide for the collection of State taxes and licenses on professions, etc., in the city of New Orleans, for the special order of the day for Thursday, the 22d instant, was reconsidered. And on a further motion of the same Senator this bill was made the special order of the day for Friday next.

RETURN OF A BILL.

On motion of Mr. Kenner, the Secretary was directed to request from the House of Representatives the return to the Senate of House joint resolution granting leave of absence to the State Treasurer.

REPORT OF ENROLLED BILLS.

Mr. Bruslé, from the Committee on Enrolled Bills, reported as correctly enrolled Senate bills entitled,

An act for the relief of Thomas P. Harrison, and the heirs of A. T. Hawkins Duvall;

An act relative to the sale of public lands;

An act to legitimate Andrew Jackson Dunn, son of John Dunn and Mary Ann Dunn;

An act relative to the publication of judicial advertisements in the French language.

And the Secretary was directed to request the signature of the Speaker of the House thereto.

REPORTS FROM STANDING COMMITTEES.

Mr. Munday, from the Committee on Claims, to whom was referred Senate bill, entitled "an act for the relief of L. R. Marshall," submitted a favorable report.

The same Senator, from the same committee, to whom was referred Senate bill, entitled "an act for the relief of W. H. C. King & Co.," submitted a favorable report by substitute, with the same title, which was passed to a second reading.

And the same Senator, from the same committee, to whom was referred Senate bill, entitled "an act for the relief of Herbert Walker, tutor of the minor heirs of Elizabeth Dyson, deceased," submitted an adverse report.

Mr. Fellowes, from the Committee on Commerce, Manufactures and Agriculture, to whom was referred Senate bill, entitled "an act for the better protection of the assured citizens and residents of Louisiana," submitted a favorable report by substitute, and recommended its passage.

And the substitute was passed to a second reading.

And the same Senator, from the same committee, to whom was referred Senate bill entitled "an act to amend an act entitled an act to incorporate a company for the improvement of Passa-l'Outre, approved March 15, 1860," reports the same without action, with the request that the same be referred to the Committee on the Judiciary.

On motion of the same Senator, this bill was accordingly referred.

Mr. Egan, on behalf of Mr. Newton, of Jackson, from the Committee on Public Education, to whom was referred Senate's resolution of instruction to that committee in relation to amend the law relative to the appointment of members of the board of supervisors of the Louisiana State Seminary and Military Academy, near Alexandria, reported a bill entitled "an act to amend the second section of an act entitled an act to amend the act entitled an act for the organization and government of the State Seminary of Learning established near Alexandria, approved March 18, 1858, and making an appropriation for the same, approved March 7, 1860," which was passed to a second reading.

And the same Senator from the same committee, to whom was referred Senate bill entitled "an act authorizing the lease of property of the State Laboratory, at Mount Lebanon, in the parish of Bienville," submitted a favorable report.

Mr. Foute, from the Committee on Federal Relations, to whom was referred House "joint resolutions expressive of the sentiments of the people of Louisiana relative to the Federal government," submitted the following

REPORT:

The Senate Committee on Federal Relations, to whom was referred the House "joint resolutions expressive of the sentiments of the people of Louisiana relative to the national government," beg leave, respectfully, to report that they find among the records of the Senate "joint resolutions relative to Federal relations," (numbered in the Senate "No. 8," and in the House "No. 28,") which passed the Senate on the 2d of December, 1865, and was unanimously concurred in by the House of Representatives on the same day; which resolutions, in the opinion of the committee, briefly, comprehensively and truthfully express "the sentiments of the people of Louisiana, relative to the national government," and renders unnecessary the action contemplated by the resolutions now under consideration.

For which reason the committee respectfully report the joint resolution expressive of the sentiments of the people of Louisiana, relative to the national government as unnecessary. As, however, the Senate resolutions of the extra session alluded to do not appear in the printed journals, and have, no doubt, for that reason been overlooked, your committee respectfully recommend that they be now spread upon the minutes, in connection with and as part of this report, to be published in the journal of this session, and for that purpose they annex a copy of said resolutions. In regard to that particular feature of the House "joint resolutions" now under consideration by your committee, which refers to the condition of the freedmen in Louisiana, they further considered the action would be unnecessary in view of the humane provisions of the law of Louisiana which existed long anterior to the events of the late war, and which extend to all free persons of color alike, the right to acquire, education, to testify in courts of justice, the right to hold property, to possess the same by deed or will, descent or otherwise—the general laws of succession and marriage, husband and wife, parent and child, tutorship, minority, etc., etc., and the same protection of person and property accorded to the white man—in a word the guarantees of law for life, liberty and the pursuit of happiness. In these respects the laws of Louisiana are and have always been different and exceptional, among those of the other States, and as all these provisions apply as well to the recently emancipated, at the moment of freedom, as to any other class of free colored persons in our State, your committee have not found it necessary to profess in the form of resolutions a purpose to accord to the freedmen rights guaranteed them by the laws of the State already in existence. Such resolutions, in the opinion of your committee, would do injustice to the humane system of laws referred to, which has so long adorned our statute books, and sufficiently indicates the sentiments of our people, and would at the same time convey to the world impressions unfavorable to ourselves and inconsistant with those just claims to peculiar consideration, at this time, which the laws of Louisiana in this respect entitle her to. In conclusion, your committee would respectfully recommend that a copy of this report be furnished to the House of Representatives. All of which is respectfully submitted.

(Signed) M. A. FOUTE,
Chairman Committee on Federal Relations.

JOINT RESOLUTIONS RELATIVE TO FEDERAL RELATIONS.

WHEREAS, It is eminently proper and due to our constituents and the government, that this representative body, fresh from the people of the whole State, the first that has assembled in Louisiana since the surrender, should give a public and unmistakable expression of sentiment with regard to the "situation," therefore

1. *Be it resolved by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That there is no spirit of resistance to Federal authority among the people of Louisiana; that they frankly avowed their purposes and objects in the late struggle for separate government, and having failed in that, they now, with equal frankness accept as an inevitable result the present situation, including the abolition of slavery, the re-establishment of which they do not expect.

2. *Be it further resolved, etc.*, That in the expression that "the Southern people must be trusted," President Johnson exhibited a thorough acquaintance with Southern character and eminent wisdom and statesmanship, and that it is our firm resolve to justify this confidence, and to sustain the President in his efforts to restore these States to representation in Congress, and a position of political equality in the Union.

3. *Be it further resolved, etc.*, That the people of Louisiana are unreserved in their purpose of loyalty, and if permitted, that to the Constitution of the United States and the union of the States thereunder, do they look for their future happiness and prosperity.

(Signed) DUNCAN S. CAGE,
Speaker of the House of Representatives.
(Signed) ALBERT VOORHIES,
Lieutenant Governor and President of the Senate.
Approved December 6, 1865.
(Signed) J. MADISON WELLS,
Governor of Louisiana.

On motion of Mr. Bruslé, the above report was adopted, and it was ordered that one thousand copies of the same be printed in English and five hundred be printed in French for the use of the Senate.

Mr. Foute, from the same committee, to whom was referred House concurrent resolution appointing commissioners to visit Washington for the purpose of waiting upon the President, submitted a favorable report.

SENATE BILLS PASSED.

On motion of Mr. Munday, the rules were suspended, and the Senate proceeded to the consideration of Senate bill entitled

An act for the relief of L. R. Marshall;

Which underwent its second and third readings, it passed, and the Secretary was directed to request the concurrence of the House therein.

On motion of Mr. Newton of Morehouse, the rules were suspended, and the Senate proceeded to the consideration of Senate bill entitled

An act for the relief of John L. Pratt;

Which underwent its second and third readings, it passed, and the Secretary was directed to request the concurrence of the House therein.

On motion of the same Senator, the rules were suspended, and the Senate proceeded to the consideration of Senate bill entitled

An act for the relief of W. T. Hall;

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That the sum of five hundred dollars be and the same is hereby appropriated for the relief of Wm. T. Hall, for his services as District Attorney pro tempore for the twelfth Judicial District Court for the parish of Morehouse, at the October term of 1865, and that the same be paid to him on his own warrant upon the State Treasurer out of any monies not otherwise appropriated.

On motion of Mr. Newton of Morehouse, the amendment proposed by the Senate Committee on the Judiciary, being to strike out in the third line of the first section the word "five," and to insert in lieu thereof the word "three," was adopted.

And the first section was adopted as amended.

And the second section was read and adopted.

On motion of the same Senator, this bill underwent its second and third readings, it passed and the Secretary was directed to request the concurrence of the House therein.

On motion of Mr. Egan, the rules were suspended and the Senate proceeded to the consideration of Senate bill entitled

An act authorizing the lease of property of the State Laboratory at Mount Lebanon in the parish of Bienville;

Which underwent its second and third readings, it passed and the Secretary was directed to request the concurrence of the House therein.

On motion of Mr. Palfrey, the rules were suspended and the Senate proceeded to the consideration of Senate bill entitled "an act relative to pilots for the Atchafalaya bay and river," which underwent its second and third readings; it passed, and the Secretary was directed to request the concurrence of the House therein.

On motion of Mr. Mohan, the rules were suspended and the Senate proceeded to the consideration of Senate bill entitled "an act for the relief of W. H. C. King & Co.," which underwent its second and third readings; it passed, and the Secretary was directed to request the concurrence of the House therein.

On motion of Mr. Munday, the rules were suspended and the Senate proceeded to the consideration of Senate bill entitled "an act to amend the first section of an act" entitled "an act relative to forced surrenders and the mode of making the same," approved March 14, 1855.

Mr. Lapeyre moved the reference of this bill to the Committee on the Judiciary, which motion did not prevail.

The same Senator moved to lay Mr. Lott's amendment on the table, which motion did not prevail.

On motion of Mr. Munday, the vote adopting the first section was reconsidered.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That the first section of the above entitled act be amended and re-enacted so as to read as follows, to-wit: "Any judgment creditor who shall have issued "Any judgment creditor who shall have issued execution, which has been returned "no property found," after due demand, shall have the right to compel his debtor to make a surrender of his property, by proceeding in the following manner: The creditor shall present his petition to court, or to the judge at chambers, having jurisdiction of the debtor's domicil, and shall allege that he is a judgment creditor of the debtor, and for what amount; that execution has been issued and returned "no property found, after due demand"; that he has reason to believe that the debtor has no property or assets that may be made available to his creditors; and shall conclude with a prayer that the debtor be ordered to surrender his property to his creditors. All of which shall be verified by the oath of the petitioning creditor or his attorney. The judge shall thereupon order a meeting of the creditors, to take place before a notary public of the debtor's domicil, to be held in the same form and manner as in cases of voluntary surrender; at which meeting a majority of the creditors, in number and amount, shall determine whether the surrender of his property shall be made to his creditors. In such case, the proces-verbal of the deliberations of the creditors shall be homologated in the court ordering the meeting, and the judge shall thereupon order the debtor to make a surrender of his property to his creditors within a time fixed by him. *Provided*, That in all cases where a majority of creditors, in number and amount, shall oppose the surrender, the costs shall be paid by the party making the application.

On motion of Mr. Bruslé, the first section was amended by inserting in the fifth line, after the word "act," the following words, to-wit, which reads as follows: "Any judgment creditor who shall have issued execution, which has been returned, 'no property found,' after due demand, shall have the right to compel his debtor to make a surrender of his property, by proceeding in the following manner: The creditor shall present his petition to the court, or judge at chambers, having jurisdiction of the debtor's domicil, and shall allege that he is a judgment creditor of the debtor and for what amount that execution has issued and been returned, 'no property found,' after due demand; that he has reasons to believe that the debtor has property or assets which may be made available to his creditors, and shall conclude with a prayer that the debtor be ordered to surrender his property to his creditors. All of which shall be verified by the oath of the petitioning creditor or his attorney. The judge shall thereupon order that the debtor show cause, within ten days from the service of the order on him, why he should not pay the debt of the complaining creditor, or make a surrender of his property to his creditors. Should no good cause be shown and the debt remains unpaid, the judge shall order the debtor to make a surrender of his property to his creditors within a time to be fixed by him," be amended and re-enacted so as to read as follows, viz:

And the first section was adopted as amended.

ADDITIONAL SECTION OFFERED BY MR. LOTT TO THE SECOND SECTION OF THE BILL.

SEC. 2. *Be it further enacted, etc.*, That debtors who may be compelled to make a cession of their property, according to the provisions of the first section of this act, and who otherwise comply with the general provisions of the law in relation to insolvents, shall be discharged by the judge from any further liability from all debts placed upon their schedules.

Mr. Gordon offered the following as a substitute to Mr. Lott's proposed amendment:

Be it further enacted, etc., The cession of property forced by a majority of the creditors shall operate as a discharge from all debts which the debtor has placed on his bilan, including those arising from offenses and quasi offenses.

On motion of Mr. Lott, Mr. Gordon's substitute was adopted as the second section of the bill.

The second and third sections were read and adopted as the third and fourth sections of the bill.

On motion of Mr. Munday, this bill underwent its second and third readings; it passed, and the Secretary was directed to request the concurrence of the House therein.

On motion of Mr. Egan the rules were suspended and the Senate proceeded to the consideration of Senate bill entitled an act to amend the second section of an act entitled an act to amend the act entitled an act for the organization of the State Seminary of Learning established near Alexandria, approved March 18, 1858, and making an appropriation for the same, approved March 7, 1860, which underwent its second and third readings, it passed, and the Secretary was directed to request the concurrence of the House therein.

HOUSE JOINT RESOLUTION CONCURRED IN.

On motion of Mr. Bruslé the rules were suspended, and the Senate proceeded to the consideration of House joint resolution relative to the founding of a Soldiers' Home for the State of Louisiana, which underwent its first and second readings, the blank therein was filled with the word "three," it underwent its third reading, and it was concurred in.

Thereupon the President appointed Messrs. Bruslé, Munday and Palfrey, the committee on the part of the Senate.

And the Secretary was directed to inform the House thereof.

MESSAGE FROM THE HOUSE.

By a message from the House of Representatives, through Mr. E. W. Halsey, its Assistant Clerk, the signature of the President of the Senate was requested to House enrolled bills of the following titles, to-wit:

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

And an act authorizing the election of an additional justice of the peace and constable for the seventh police jury ward of the parish of St. Helena;

Which bills received the signature of the President of the Senate, and were, by the Secretary, returned to the House of Representatives.

By the same message, the "joint resolution granting leave of absence to the State Treasurer," was returned to the Senate, in compliance with its request.

And he informed the Senate that the House had concurred in Senate's amendment to House bill entitled "an act supplementary to an act entitled an act providing for the registry of the names and residences of all the qualified electors of the city of New Orleans, according to the article IIth of the Constitution of the State," approved March 29, 1856.

BILL INTRODUCED AND PASSED.

Mr. Mohan, without previous notice given and a suspension of the rules first granted, asked and obtained leave to introduce a bill entitled "an act to amend an act entitled 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," which underwent its several readings, it passed, and the Secretary was directed to request the concurrence of the House therein.

On motion of Mr. Scruggs, the Senate adjourned until to-morrow, at 12 o'clock M.

HENRY B. KELLY,
Secretary of the Senate.

HOUSE OF REPRESENTATIVES.

HALL OF THE HOUSE OF REPRESENTATIVES,
Monday, Feb. 19, 1866.

The House met at 12 o'clock M.

Present, Hon. D. S. Cage, Speaker; and Messrs. Anderson J., Anderson Samuel, Austin, Alverson, Bailey, Barry, Bensel, Blackman, Brown, Buie, Bruton, Collins, Convillon, Davenport, Doblane, Deporter, DeLabarre, Ditto, Duralde, Duffel, Eastin, Egar, Elam, Eldridge, Eustis, Edwards, Fagot, Fenner, Freret, Fishburn, Fulda, Gates, Green, Hanlon, Halsey, Harrison, Hays, Henderson, Holt, Jonas, Kidd, Kile, Labranche, Lagroue, LeBlanc, Meredith, McKelvey, McEnery, McDonald, McGee, Moreland, Montgomery, Murray, Nelligan, Phillips James, Powell, Pujo, Regenberg, Richards, Rogers, Ryan, Snider, Smith, Stille, Scott, Solomon, Thériot, Thieneman, Tucker, Voorhies, Walker, Whittington, Williamson and Weeks—75 Representatives.

Prayer was offered by the Rev. Dr. Beckwith.

The journal of Saturday was read and approved.

Mr. Hatch of Rapides presented the following:

STATE OF LOUISIANA, OFFICE SEC'Y OF STATE,
New Orleans, Febuary 19, 1866.

To the Speaker and Members of the House of Representatives:

Gentlemen—I herewith transmit the returns of an election held in the parish of Rapides for one Representative to fill the vacancy caused by the resignation of the Hon. Henry C. Boyce, United States Senator elect: from which it appears that Hon. Jos. W. Texada has been duly elected a member of the House. Respectfully,

J. H. HARDY,
Secretary of State.

The Hon. Joseph W. Texada was sworn as Representative from the parish of Rapides.

Mr. McEnery presented concurrent resolutions providing for the appointment of two Representatives and —— from the Senate, as commissioners to visit Washington, for the purpose of imparting correct information to his Excellency, the President of the United States, concerning the purposes and sentiments of the people of Louisiana and their representatives.

On motion of Mr. Kidd, the resolutions were amended by adding a provision for the payment of the expenses of said commissioners.

And the resolutions as amended were adopted.

Mr. Williamson nominated Hon. D. S. Cage and Hon. J. B. Eustis as commissioners, and there being no other nominations, they were elected *viva voce*.

The resolutions were then ordered to be sent to the Senate.

Mr. Solomon presented the memorial of nineteen residents on the Gentilly Road, praying for legislative relief from the burdens of municipal taxes on their property located on said road, in view of the fact that they, the said residents, have no street lamps, police or pavements, and that the roads are seldom repaired.

In connection with the memorial Mr. Solomon presented the following resolution:

Resolved, That a joint committee from the city delegation of five members of the House and —— members of the Senate, to take into consideration the petition of the owners of property on Gentilly Road, asking for relief, and to report on the same by bill or otherwise.

The resolution was adopted, and the Speaker appointed on said committee Messrs. Solomon, Thieneman, Wiltz, Phillips and McCloskey.

MESSAGE FROM THE GOVERNOR.

The following communication was received from his Excellency, the Governor:

STATE OF LOUISIANA, EXECUTIVE DEPARTMENT,
New Orleans, February 19, 1866.

To the Speaker of the House of Representatives:

I am directed by his Excellency, the Governor, to inform the House that he has approved and signed:

"An act to authorize the vending of lottery tickets."

N. C. SNETHEN,
Private Secretary.

On motion of Mr. Ditto, it was

Resolved, That it is hereby made the duty of the Judiciary Committee to examine the laws regulating the fees of ministerial officers and justices of the peace, with a view to a revision of said laws, so as to increase or diminish said fees, if in the opinion of said committee any increase is necessary, and that they be requested to report by bill or otherwise.

According to previous notice, Mr. Walker moved that the vote by which the House bill 96,

"An act to amend and re-enact an act entitled "an act relative to forced surrenders and the mode of making the same,"

Was passed on the 17th, be reconsidered, and the motion prevailing, he further moved that the third reading and engrossment be reconsidered. Carried.

On motion of Mr. Elam, the bill was recommitted to the Committee on the Judiciary.

BILLS INTRODUCED.

The following bills were introduced and, the rules being waived, were read a second time and referred, as follows:

By Mr. DeLabarre for Mr. Wiltz—

An act for the relief of F. Lambert;

To the Committee on Contingent Expenses.

By Mr. Buie—

An act to change the name of Lelia Cable, of the parish of Franklin, to Lelia Cox;

To the Committee on the Judiciary.

By Mr. Voorhies—

An act for the incorporation of the Catholic Association of the diocese of New Orleans;

To the Committee on Charitable Institutions.

BILL INTRODUCED AND PASSED.

Mr. McEnery introduced the following bill:

Joint resolutions relative to a grant of lands by Congress to the State of Louisiana, by act approved 3d June, 1856.

The bill, under a suspension of the rules was read three times and passed.

PRIVATE CALENDAR.

This being the day set apart by a resolution of the House for the consideration of private and local bills, the House proceeded to take the same according to their numbers as follows:

No. 7—An act to fix the return day of appeals for the parish of West Feliciana.

The report of the Judiciary Committee, substituting House bill 109, was adopted.

No. 15—An act for the relief of Robert J. Caldwell.

The amendments reported by the Committee on Claims, were adopted, and the rules requiring the House to resolve itself into a committee of the whole on appropriations, being suspended, the bill was engrossed, read a third time and passed.

No. 16—Joint resolution for the payment of $595 to Ursin Jacob, as State tax collector for the parish of St. John Baptist, during the year 1862.

The unfavorable report of the Committee on the Judiciary, was adopted.

No. 21—An act for the relief of J. Q. Prescott, of the parish of Bienville.

The unfavorable report of the Committee on the Judiciary, was adopted.

No. 22—An act to extend the limits of the corporation of Donaldsonville;

Engrossed, read a third time and passed.

No. 30—An act for the relief of Charles Kerr, late clerk of the District Court in and for the parish of St. Mary.

The rule requiring the House to resolve itself into a committee of the whole on appropriations was suspended.

The bill was recommitted to the Committee on the Judiciary.

No. 54—An act for the relief of R. G. Cobb.

The rule requiring the House to resolve itself into a committee of the whole being suspended,

The bill was engrossed, read a third time and passed.

No. 63—An act for the relief of Antonio Marero, of the parish of St. Bernard;

Engrossed, read a third time and passed.

No. 67—An act to amend and renew the charter of the Catholic church of Opelousas, St. Landry;

Engrossed, read a third time and passed.

No. 83—An act for the relief of J. N. T. Richardson.

The unfavorable report of the Committee on Claims was adopted.

No. 88—An act for the relief of the heirs and legal representatives of Benj. Ray, deceased.

The substitute reported by the Committee on Claims was adopted, in lieu of the original bill, and under a suspension of the rule requiring the House to resolve itself into a committee of the whole on appropriations, the bill was engrossed, read a third time and passed.

No. 91—An act for the relief of James Upshaw, sheriff of the parish of Bienville;

Read a second time, and motion to engross laid on the table by the following vote, the yeas and nays being called for by Messrs. Stille and Edwards:

YEAS—Messrs. Alverson, Bailey, Bensel, Convillon, Delamore, Deporter, LeLabarre, Eastin, Eldridge, Eustis, Edwards, Fishburn, Fulda, Gaiser, Hays, Higgins, Kidd, Labranche, Lagroue, Leeds, McDonald, Peterson, Phillips James, Phillips Alf., Powell, Richards, Sambola, Simonds, Stille, Solomon, Theriot, Texada, Thieneman and Walker—31 yeas.

NAYS—Messrs. Anderson J., Brown, Buie, Gates, Green, Hanlon, Halsey, Harrison, Head, Kent, Labranche, LeBlanc, McEnery, McConnell, McGee, Moreland, Montgomery, Murray, Nutt, Richardson, Regenberg, Rogers, Ryan, Snider, Smith, Tucker, Voorhies, Whittington, Williamson and Weeks—31 nays.

And Mr. Waggaman, chairman, voting yea, the motion to engross was laid on the table.

No. 52—An act to ratify the lease of the Franklin College at Opelousas, parish of St. Landry, Louisiana, to Rev. Benj. F. White;

Lies over.

No. 78—An act to reorganize Franklin College;

Lies over.

No. 94—An act in relation to ferries across Red River at the city of Shreveport;

Engrossed, read a third time and passed.

MESSAGES FROM THE SENATE.

A message was received from the Senate, through O. Arroyo, Esq., its Assistant Secretary, asking the concurrence of the House in Senate bill entitled

An act to authorize the register of conveyances of the city of New Orleans to sign certain acts.

Also, announcing that the Senate had concurred in House bills entitled

An act to authorize the election of an additional justice of the peace and constable for the seventh ward in the parish of St. Helena;

An act supplementary to an act providing for the registry of the names and residences of all qualified electors of the city of New Orleans, etc., approved March 20, 1856;

Joint resolution granting leave of absence to the State Treasurer; and

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

Also asking the signature of the Speaker to Senate bills entitled:

An act for the relief of the tax-payers of the State;

An act to abrogate the offices of surveyor general and register and receiver of the branch land office at Winnsborough;

An act to provide for the prompt collection of the tax on gross sales or receipts.

Also announcing that the President of the Senate had signed House bill entitled

Joint resolution appropriating a sum of money to pay the expenses of the members of Congress from Louisiana.

On motion of Mr. Nutt, an act for the relief of the Louisiana State Seminary was fixed as the special order for to-morrow.

Mr. McDonald moved that the rules be suspended in order to take up House bill No. 139:

An act to incorporate the town of Vienna, in the parish of Jackson.

A vote was taken upon his motion, but the number of Representatives voting being less than a quorum, Mr. Stille moved a call of the House.

The roll being called, the following Representatives answered to their names:

Messrs. Anderson S., Alverson, Bailey, Brown, Buie, Convillon, Delamore, Deporter, DeLabarre, Duralde, Eastin, Elam, Eldridge, Edwards, Fishburn, Gates, Green, Hanlon, Halsey, Harrison, Head, Hays, Higgins, Holt, Kent, Kelly, Labranche, Leeds, Lemarie, LeBlanc, McEnery, McConnell, McDonald, McGee, Moreland, Montgomery, Murray, Nutt, Peterson, Phillips James, Powell, Regenberg, Richardson, Richards, Rogers, Ryan, Simonds, Snider, Stille, Theriot, Thieneman, Walker, Whittington, Waggaman and Weeks—55 in number.

The number being less than a quorum, on motion of Mr. Stille the House adjourned.

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

LAWS OF LOUISIANA.

No. 17.] **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, controller, 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 is hereby requested to issue, forthwith, his proclamation ordering an election, to be held on the second Monday of March, 1866, form ayor, controller, 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 20, 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 1868, 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, 1866, 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.

(Signed) DUNCAN S. CAGE,
Speaker of the House of Representatives.
(Signed) ALBERT VOORHIES,
Lieutenant Governor and President of the Senate.

This act was passed over the Governor's veto, by the constitutional majority of two-thirds of both houses of the General Assembly of Louisiana, on the 13th day of February, A. D. 1866, and consequently becomes a law.

J. H. HARDY,
Secretary of State.

No. 18.] **ACTE**

TO PROVIDE FOR THE ELECTION OF PARISH AND DISTRICT OFFICERS THROUGHOUT THE STATE.

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 is hereby authorized and directed to issue, forthwith, his proclamation ordering an election to take place throughout the State, to take place on the second Monday in March next, for district attorneys, clerks of the district courts, sheriffs, coroners, parish recorders, State tax assessors and collectors, justices of the peace, constables, and such other officers as by the Constitution and existing laws are to be chosen by the people.

SEC. 2. *Be it further enacted, etc.*, That the officers thus elected shall enter upon the discharge of their duties on the second Monday following their election, and that their term of office shall expire as if they had been elected on the first Monday of November, 1865.

(Signed) DUNCAN S. CAGE,
Speaker of the House of Representatives.
(Signed) ALBERT VOORHIES,
Lieutenant Governor and President of the Senate.

This act was passed by the constitutional majority of two-thirds of both houses of the General Assembly over the Governor's veto, on the 15th day of February, A. D. 1866, and consequently becomes a law.

J. H. HARDY,
Secretary of State.

LOIS DE LA LOUISIANE.

No. 17.] **ACTE**

ORDONNANT UNE ELECTION D'OFFICIERS MUNICIPAUX POUR LA VILLE DE LA NOUVELLE-ORLEANS.

Attendu que les lois consolidant la ville de la Nouvelle-Orléans et pourvoyant au gouvernement de cette ville, et à l'administration de ses affaires, prescrivent expressément l'élection du maire, du comptroleur, du commissaire des rues, des recorders et des membres du conseil, par le peuple de la dite ville; attendu, que les fonctionnaires actuels n'ont que des pouvoirs temporaires, de leur nature, qui leur ont été accordés seulement pour les besoins de la situation présente; attendu, qu'il convient surtout, que le gouvernement municipal de cette ville soit remis au peuple, de nouveau, conformément à la charte de cette ville, en conséquence:

SECTION 1. Le sénat et la chambre des représentants de l'État de la Louisiane, réunis en assemblée générale, décrètent: Le gouverneur est par le présent requis de lancer, immédiatement, sa proclamation, ordonnant la tenue d'une élection, le second lundi de mars 1866, aux places de maire, comptroleur, commissaire des rues, recorders et de membres du conseil de ville, conformément aux dispositions de l'acte intitulé, "acte consolidant la ville de la Nouvelle-Orléans, et pourvoyant au gouvernement de cette cité, ainsi qu'à l'administration de ses affaires, approuvé le 20 mars 1856."

SEC. 2. Décrètent de plus: Les fonctionnaires élus en vertu du présent, entreront en fonctions le premier lundi après leur élection, et y demeureront jusqu'au troisième lundi de juin 1868; bien entendu qu'en la première séance de l'année 1868 du conseil de ville, les aldermen et les assistants-aldermen seront partagés, par la voie du sort, en deux classes. Les conseillers de la première classe sortiront de fonctions le troisième lundi de juin 1867, et ceux de la seconde, le troisième lundi de juin 1868; une moitié du nombre des conseillers représentant chaque district, composera la première classe. Au premier lundi de juin 1867, et tous les ans après cette époque, il y aura élection conformément aux dispositions de la charte de la ville; à chacune de ces élections un nombre suffisant d'aldermen et d'assistants-aldermen sera élu pour remplacer les conseillers sortant.

SEC. 3. Décrètent de plus: Le premier lundi de juin 1868, et ainsi de même par la suite, il y aura élection pour maire, comptroleur, recorders, aldermen et assistants-aldermen, pour le terme établi et conformément aux prescriptions du susdit acte consolidant la ville de la Nouvelle-Orléans, etc., approuvé le 20 mars 1856.

SEC. 3. Décrètent de plus: Le présent acte sortira son effet à compter du jour de son adoption.

Signé: DUNCAN S. CAGE,
Orateur de la Chambre des Représentants.
ALBERT VOORHIES,
Lieutenant-gouverneur et président du Sénat.

Le présent acte a été passé, nonobstant le véto du gouverneur, par la majorité constitutionnelle des deux tiers des deux chambres de l'Assemblée générale de la Louisiane, le treizième jour de février 1866, et a, par conséquent, force de loi.

J. H. HARDY,
Secrétaire d'État.

No. 18.] **ACTE**

POURVOYANT A L'ELECTION DES OFFICIERS DES PAROISSES ET DISTRICTS DANS TOUT L'ETAT.

SECTION 1. Le sénat et la chambre des représentants de l'État de la Louisiane, réunis en assemblée générale, décrètent: Le gouverneur est par le présent autorisé et invité à lancer immédiatement sa proclamation ordonnant la tenue d'une élection dans tout l'État, le second lundi de mars prochain, aux fonctions d'avocats de district, de greffiers des cours de district, de shérifs, de coroners, de recorders de paroisse, d'assesseurs et collecteurs des taxes d'État, de juges de paix, de constables et de tels autres officiers que suivant la constitution et les lois existantes, le peuple doit élire.

SEC. 2. Décrètent de plus: Les fonctionnaires élus, en vertu du présent, entreront en fonctions le deuxième lundi après leur élection et leurs fonctions cesseront à la même époque que s'ils avaient été élus le premier lundi de novembre mil huit cent soixante-cinq.

(Signé.) DUNCAN S. CAGE,
Orateur de la Chambre des Représentants.
ALBERT VOORHIES,
Lieutenant-Gouverneur et Président du Sénat.

Le présent acte a été passé, nonobstant le véto du gouverneur, par la majorité constitutionnelle des deux tiers des deux chambres de l'assemblée générale, le quinzième jour de février 1866, et il a, par conséquent, force de loi.

J. H. HARDY,
Secrétaire d'État.

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