New Orleans Daily Crescent.

OFFICIAL JOURNAL
—OF—
THE STATE OF LOUISIANA.

TUESDAY MORNING, FEBRUARY 27, 1866.

OFFICIAL JOURNAL
—OF THE—
LEGISLATURE OF LOUISIANA.

REGULAR SESSION OF 1866.

SENATE.

SATURDAY, February 24, 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, Brownlee, Bruslé, Burthe, Campbell, Cooley, Duvrigneaud, Egan, Ellis, Fellows, Foute, Gibson, Gordon, Hough, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Jackson, Nelson, Palfrey, Poché, Purcell, Scruggs, Taylor and Wilcoxon—29 Senators.

The proceedings were opened with prayer offered by the Rev. Mr. Laycock, of the Episcopal church.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

On motion of Mr. Anderson,

Leave of absence was granted for a few days to Mr. A. D. Coco, Senator from the parishes of Avoyelles and Rapides.

MESSAGE FROM THE HOUSE.

Mr. T. L. Maxwell, Clerk of the House of Representatives, requested the concurrence of the Senate in House bills entitled,

An act for the relief of Wade Hampton;

An act to organize the Supreme Court, and to fix the terms thereof;

And an act to amend an act entitled an act to authorize the lease of the New Canal.

He also informed the Senate of the concurrence by the House in Senate bill entitled "an act to authorize the Register of Conveyances of the city of New Orleans to sign certain acts."

And he also informed the Senate that the Speaker of the House had signed Senate enrolled bill entitled "an act providing for the final liquidation of the Consolidated Association of the Planters of Louisiana."

Which bill received the signature of the President of the Senate, and was, by Mr. Bruslé, on behalf of the Committee on Enrolled Bills, submitted to his Excellency the Governor for his approval and signature.

INVITATION.

Mr. Mohan presented to the Senate a communication from Mr. Edwin E. Overall, proprietor of the Merchants' Exchange and Newsroom in New Orleans, tendering each member of the Senate an invitation to visit the Commercial Reading Rooms, and to accept all the privileges implied in connection therewith.

On motion of the same Senator, the invitation was accepted.

REPORTS FROM STANDING COMMITTEES.

Mr. Fellowes, from the Committee on Commerce, Manufactures and Agriculture, to whom was referred Senate bill entitled

An act to amend the charter of the New Orleans, Jackson and Great Northern Railroad Company,

Submitted a favorable report, with the recommendation that the bill pass.

On motion of Mr. Gordon, the rules were suspended, and the Senate proceeded to the consideration of the above entitled bill, when, on motion of the same Senator, this bill was ordered to be printed, and its further consideration was postponed, and it was made the special order of the day for Tuesday next.

Mr. Munday, from the Committee on Claims, to whom was referred Senate bills entitled

An act for the relief of John C. Brown, sheriff of the parish of Winn;

An act for the relief of Joseph Hernandez, late tax collector of the Second District of New Orleans;

And memorial of Marshall McGinnis, gardener of the State House grounds at Baton Rouge;

Submitted an adverse report on each of said bills and memorial.

The same Senator from the same committee, to whom was referred Senate bill entitled "an act for the relief of Lewis Palms, late register of the United States Land Office, for the Southeastern district of Louisiana, submitted a favorable report.

And the same Senator from the same committee, to whom was referred the memorial of Oscar Arroyo, praying for relief, reported by the following resolution:

Resolved, That the sum of nine hundred and fifty dollars be allowed Oscar Arroyo, in accordance with act No. 8, of 1865, in full compensation as Assistant Secretary of the Senate at the extra session of the legislature, begun and held on the 23d day of November, 1865. The same to be paid him out of the contingent fund of the Senate on his own warrant.

On motion of Mr. Kenner, the above resolution was adopted.

REPORT OF AN ENROLLED BILL.

Mr. Bruslé, from the Committee on Enrolled Bills, reported as correctly enrolled Senate bill entitled "an act to authorize the register of conveyances of the city of New Orleans to sign certain acts;"

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

HOUSE BILL AND JOINT RESOLUTIONS CONCURRED IN.

On motion of Mr. Duvrigneaud, the rules were suspended, and the Senate proceeded to the consideration of House concurrent resolution appointing a joint committee to take into consideration the memorial of citizens living upon the Gentilly Road, 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.

Whereupon, the President appointed Messrs. Duvrigneaud, Kavanagh and Purcell the committee on the part of the Senate.

And the Secretary was directed to inform the House thereof.

On motion of Mr. Kenner, the rules were suspended, and the Senate proceeded to the consideration of House joint resolution granting leave of absence to the State Treasurer, which reads as follows:

WHEREAS, It is expedient that the Treasurer of the State shall personally superintend the engraving and lithographing of the certificates of indebtedness directed to be issued by the act entitled an act, etc., approved March, etc.

Be it resolved, etc., That the said treasurer is hereby authorized to absent himself for that purpose, for forty days from the date of the passage of this resolution; during which time his deputy, specially designated, appointed and authorized by him in writing, is hereby authorized to sign all accounts, warrants, checks, returns, or other paper whatsoever which the said treasurer is required to sign personally; *Provided*, that said treasurer shall be responsible for the acts of his said deputy as if they were done and performed by himself; and, *Provided* also, that the securities of said treasurer shall be responsible for all the acts of said deputy, made and performed under this resolution to the same extent as they are by their bond responsible for the acts of said treasurer himself; *Provided also*, that the said securities shall give their written consent to this resolution.

On motion of Mr. Kenner the above resolution was adopted, and on the adoption of the preamble thereof, the same was amended by adding at the close thereof the following words, to-wit:

"An act to authorize the issue of certificates of indebtedness and of bonds for the funding of the same," approved February 9, 1866.

And the joint resolution underwent its third reading, it was concurred in, and the Secretary was directed to inform the House thereof.

On motion of Mr. Mohan, the rules were suspended and the Senate proceeded to the consideration of House concurrent resolutions, appointing committees to visit Washington for the purpose of waiting upon the President, which had passed their second reading on yesterday.

Mr. Hough moved to postpone the further consideration of these resolutions, and make them the special order of the day for Monday next.

Mr. Foute moved to lay Mr. Hough's motion on the table;

And upon that motion Mr. Hough called for the yeas and nays. They were ordered, and being taken, resulted as follows, viz:

Yeas—Messrs. Bruslé, Cooley, Egan, Ellis, Fellowes, Foute, Gibson, Kenner, Lapeyre, Mohan, Munday, Nelson, Poché, Scruggs, Taylor and Wilcoxon—16 Senators.

Nays—Messrs. Abney, Anderson, Armstrong, Brownlee, Campbell, Duvrigneaud, Hough, Lott, Newton of Jackson, Palfrey and Purcell—11 Senators.

So the Senate refused to postpone the further consideration of these resolutions.

Mr. Munday moved to adopt the same, and upon that motion Mr. Hough called for the yeas and nays; they were ordered, and, being taken, resulted as follows, viz.:

Yeas—Messrs. Armstrong, Bruslé, Cooley, Egan, Ellis, Fellowes, Foute, Gibson, Gordon, Kenner, Lapeyre, Mohan, Munday, Nelson, Palfrey, Poché, Scruggs, Taylor and Wilcoxon—19 Senators.

Nays—Messrs. Abney, Anderson, Brownlee, Campbell, Duvrigneaud, Hough, Lott, Newton of Jackson and Purcell—9 Senators.

So these resolutions were adopted.

In pursuance thereto the Senate proceeded to the election of one commissioner.

Mr. Poché nominated the Hon. William B. Egan, of Claiborne.

Mr. Duvrigneaud nominated the Hon. Duncan F. Kenner, of Ascension, who declined the nomination.

Mr. Hough nominated the Hon. Albert Voorhies, Lieutenant Governor and President of the Senate, who also declined the nomination, and the same Senator nominated the Hon. Victor Burthe, of Jefferson.

And Mr. Scruggs nominated the Hon. M. A. Foute, of Orleans, who declined the nomination.

There being no further nomination, the Senate proceeded, in obedience to the Constitution, to vote *viva voce* for one commissioner, when it appeared that

Messrs. Abney, Armstrong, Bruslé, Cooley, Ellis, Fellowes, Foute, Gibson, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Jackson, Nelson, Palfrey, Poché, Scruggs, Taylor and Wilcoxon, 20 Senators, voted for the Hon. William B. Egan.

And that Messrs. Anderson, Brownlee, Campbell, Duvrigneaud, Egan, Gordon, Hough and Purcell, 8 Senators, voted for the Hon. Victor Burthe.

The Hon. William B. Egan having obtained the majority of the votes of the members present, was by the President declared duly elected commissioner under the above resolutions.

On motion of Mr. Munday, the Secretary was directed to inform the House thereof.

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

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

Which underwent its several readings; it was concurred in, and the Secretary was directed to inform the House thereof.

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

An act to authorize the city authorities of New Orleans to build a drawbridge over the new canal basin;

Which underwent its several readings, it was concurred in, and the Secretary was directed to inform the House thereof.

BILLS INTRODUCED WITHOUT NOTICE.

The hereinafter named Senators, without previous notice given, and with a suspension of the rules first granted, respectively asked and obtained leave to introduce the following entitled bills, which were severally disposed of as indicated below, to-wit:

Mr. Scruggs—

An act to authorize the sale of stamps to vendors of lottery tickets;

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

An act regarding trespasses upon swamp and sixteen section lands;

Which bill underwent its first and second readings by its title, and it was ordered to be referred to the Committee on Public Education.

Mr. Lott—

Joint resolutions asking Congress to call a constitutional convention for the purpose of proposing amendments to the Constitution of the United States of America;

Which underwent their first and second readings by their titles, and they were ordered to be referred to the Committee on Amendments to the Constitution.

Mr. Wilcoxon—

An act to provide for the licensing of druggists and apothecaries;

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

Mr. Lott—

An act allowing practicioners of medicine to testify in their own cases;

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

Hon. George W. Munday in the Chair.

UNFINISHED BUSINESS.

The Senate resumed the consideration of the unfinished business of yesterday, being Senate bill entitled

An act to provide for the collection of State taxes and licenses on professions, etc., in the city of New Orleans.

And the same was taken up.

The pending question being the adoption of the eight section as amended by Mr. Lapeyre.

On motion of Mr. Duvrigneaud, the same was adopted as amended.

The ninth section was then read, when Mr. Foute moved to commit this bill to the Committee on the Judiciary.

Mr. Duvrigneaud moved to lay Mr. Foute's motion on the table, and upon his motion Mr. Duvrigneaud called for the yeas and nays; they were ordered, and being taken, resulted as follows, viz:

Yeas—Messrs. Abney, Cooley, Ellis, Fellowes, Foute, Gibson, Hough, Lott, Mohan, Newton of Jackson, Nelson, Poché, Purcell, Taylor and Wilcoxon—15 Senators.

Nays—Messrs. Anderson, Bruslé, Campbell, Duvrigneaud, Hough, Kenner, Lapeyre, Munday, Palfrey and Scruggs—10 Senators.

So Mr. Foute's motion prevailed, and the bill was committed to the Committee on the Judiciary.

HOUSE BILL SCREENED.

On motion of Mr. Hough, the rules were suspended, and the Senate proceeded to the consideration of House bill entitled "an act for the relief of Wade Hampton."

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

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

An act for the relief of William Hampton;

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

Mr. Kenner moved to adjourn,

And, upon that motion, Mr. Mohan called for the yeas and nays.

They were ordered, and being taken, resulted as follows, to-wit:

Yeas—Messrs. Abney, Anderson, Bruslé, Campbell, Cooley, Duvrigneaud, Foute, Gordon, Hough, Kenner, Munday, Newton of Jackson, Nelson, Poché, Purcell, Scruggs, Taylor and Wilcoxon—18 Senators.

Nays—Messrs. Ellis, Fellowes, Gibson, Lapeyre, Mohan and Palfrey—6 Senators.

So Mr. Kenner's motion prevailed,

And the Senate adjourned until Monday next, at 12 o'clock M.

HENRY B. KELLY,
Secretary of the Senate.

HOUSE OF REPRESENTATIVES.

HALL OF THE HOUSE OF REPRESENTATIVES, Friday, Feb. 23, 1866.

The House met at 12 o'clock M.

Present, Hon. D. S. Cage, Speaker, and Messrs. Anderson J., Anderson Samuel, Alverson, Addison, Blackman, Brown, Bruton, Davenport, Deblanc, Deporter, DeLabarre, Decker, Ditto, Duralde, Eastin, Eager, Elam, Eldridge, Eustis, Ewing, Edwards, Fenner, Freret, Fishburn, Fulda, Gates, Gaisser, Gnatt, Green, Halsey, Harrison, Head, Kelly, Kidd, Kile, Labranche, Lagrove, Leeds, LeBlanc, Meredith, McEnery, McDonald, McGee, McCluskey, Moreland, Montgomery, Nutt, Ormond, Peterson, Phillips James, Powell, Pujo, Regenberg, Richardson, Richards, Rogers, Ryan, Scanlan, Simonds, Sulder, Smith, Stille, Scott, Solomon, Tete, Texada, Theriot, Thieneman, Tucker, Voorhies, Walker, Whittington, Williamson, Waddell and Weeks—75 Representatives.

The journal of Wednesday was read, amended and approved.

Leave of absence was on motion of Mr. Edwards granted to the Hon. G. Coquillon of Avoyelles.

Mr. DeLabarre, chairman, on behalf of the Committee on Enrollment, reported as correctly enrolled:

An act relative to suits for for the ejectment of tenants.

Mr. Kidd presented the memorial of citizens of Claiborne, Union and Jackson, asking the formation of a new parish, which was referred to the Committee on Parochial Affairs.

Mr. Decker presented the petition of Jaques Barthelmy and Francois Barthelmy, veteran soldiers of the war of 1814-15, aged respectively 74 and 77 years, praying for legislative aid. Referred to the Committee on Claims.

Mr. Decker presented a similar petition from Barthelmy Fontenelle, Jean Ronquille and André Cassé, of Plaquemines, which was referred to the same committee.

On motion of Mr. Voorhies, leave of absence was granted to the Hon. T. Murray, of Orleans.

REPORT OF STANDING COMMITTEE.

Mr. Elam, chairman, on behalf of the committee on the Judiciary, reported as follows:

On an act to refund to tax-payers, costs, interests and charges on State, parish, and municipal taxes for 1861, '62, '63 and '64, and to relieve from payment of such costs, interest and charges, those who have not paid the same;

And an act to authorize John Q. Prescott to sue the State;

Favorably.

On an act to interpret section 1 of "an act to regulate corporations generally," approved March 15, 1855;

Favorably, with an amendment, which consists in striking out the preamble.

On an act to legitimate Geraldine Clark Osborn and Charlotte Dozarie Osborn, wife of Justin Bernard, natural children of Daniel Clark Osborn, of the city of New Orleans, and to confer on them the rights of forced heirs;

Favorably, with an amendment.

On House bill No. 98: an act to amend and reenact an act entitled

An act relative to forced surrenders and the mode of making the same;

Favorably, by substitute, with the following title: 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 14th, 1855;

On Senate bill No. 168:

An act to repeal an act approved on the 17th of March, 1859, entitled

An act to amend an act entitled an act relative to judicial advertisements, approved on the 12th of March, 1855;

And to re-enact the third section of the act entitled

An act relative to judicial advertisements, approved on the 12th of March, 1855;

Favorably by substitute, entitled

An act relative to judicial advertisements.

An act to legitimate Georgiana Dease, etc.,

Favorably with amendment.

On an act relative to costs in courts of justice,

Adversely, as it is unnecessary.

The sheriff and clerk, under existing laws, have only the right to require security for costs, and not to demand any cash advance, and in case of appeals from justices of the peace, to deposit ten dollars. This we think right.

REPORT OF A SPECIAL COMMITTEE.

Mr. Walker, chairman, on behalf of the special committee to which was referred the memorial of the inhabitants of St. Bernard and Plaquemines, relative to the Mexican Gulf railroad, presented a report accompanied by a bill, and on his motion four hundred copies of the report were ordered to be printed, with the accompanying documents.

PERSONAL EXPLANATION.

Mr. Eager rose to a personal explanation, and referred to an error committed in the unofficial report of his remarks in one of the newspapers. At his request, his explanation was ordered to be spread upon the journal of the House as follows:

"In the proceedings during the discussion upon Mr. Eustis' bill to excavate the mouth of the Mississippi, I am reported to have said that I applied to be a sixth man at the rate of one million dollars in this monopoly, but was refused. I said no such thing; but did say I had asked Mr. Eustis, as the bill called for a company of not less than five persons, if there was room for the sixth man. He replied there was room for a hundred. I also said I looked upon the bill as proposing a most gigantic monopoly, and I was satisfied that I could take the bill, should it pass, and sell it for one million dollars bonus. C. A. EAGER."

SENATE BILLS CONCURRED IN.

Senate 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," was, on motion of Mr. Fenner, taken up out of order, and on his motion that the bill be adopted on its second reading, the yeas and nays were called for by Messrs. Thieneman and Richardson, with the following result:

Yeas—Messrs. Anderson J., Anderson S., Addison, Bruton, Deblanc, Deporter, Ditto, Eastin, Eager, Elam, Eustis, Ewing, Edwards, Fenner, Freret, Fishburn, Gates, Green, Halsey, Head, Jonas, Kile, Lagrone, Leeds, LeBlanc, Martin, Meredith, McConnell, McDonald, McGee, Moreland, Montgomery, Nelligan, Nutt, Pujo, Regenberg, Richards, Rogers, Ryan, Seger, Simonds, Snider, Stille, Scott, Solomon, Tete, Texada, Theriot, Thieneman, Walker, Whittington, Williamson, Waddell and Weeks—52 yeas.

Nays—Messrs. Alverson, Blackman, Davenport, DeLabarre, Decker, Duralde, Eldridge, Fulda, Gaisser, Harrison, Henderson, Kelly, Kidd, Labranche, McCloskey, McEnery, Peterson, Phillips Jas., Richardson, Roman, Smith, Tucker and Voorhies—23 nays.

The bill was then read a third time, concurred in and ordered to be sent to the Senate.

It was subsequently returned from the Senate, enrolled and was signed by the Speaker.

On motion of Mr. Simonds, Senate bill entitled

An act to authorize the Register of Conveyances of the city of New Orleans to sign certain acts, etc.,

Was taken up out of order, adopted on its second reading, read a second and third time and concurred in.

On motion of Mr. Simonds, House bill No 174,

An act to purchase 500 copies of a new edition of the statutes of the State,

Was taken up out of its regular order;

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

Yeas—Messrs. Anderson Samuel, Alverson, Brown, Davenport, Deblanc, Deporter, DeLabarre, Decker, Dugas, Eastin, Elam, Eldridge, Fagot, Fishburn, Gates, Gaisser, Harrison, Head, Henderson, Kelly, Kidd, Labranche, Lagrone, Leeds, LeBlanc, Lipscomb, Martin, Meredith, McKelvey, McEnery, McConnell, McDonald, McGee, Moreland, Montgomery, Peterson, Phillips James, Powell, Regenberg, Richardson, Richards, Roman, Rogers, Ryan, Scanlan, Snider, Smith, Stille, Solomon, Tete, Texada, Theriot, Thieneman, Tucker, Walker, Waggaman, Williamson and Waddell—57 yeas.

Nays—Messrs. Anderson J., Ditto, Eager, Edwards, Fenner, Freret, Fulda, Gantt, Hudspeth, Jonas, Lemarie, Nutt, Simonds, Voorhies, and Wilts—15 nays.

And the motion to postpone prevailed.

HOUSE BILLS PASSED.

On motion of Mr. Elam, House bill No. 109,

An act to organize the Supreme Court and fix the terms thereof,

Was taken up out of its order, under a suspension of the rules, and was amended as follows:

In the seventh line, third section, the word "first" was stricken out, and the word "second" inserted. In the eighth line the word "fourth" was stricken out, and the word "first" inserted. The eighteenth section was stricken out, on motion of Mr. Elam.

On motion of Mr. Tucker, a final section was added, as follows:

SECTION 20. *Be it further enacted, etc.*, That this act be in force from and after its passage.

The bill, as amended, was read a second time, was ordered to be engrossed, was read a third time, and passed.

On motion of Mr. Montgomery, House bill No. 99:

An act for the relief of Wade Hampton;

Was taken up, under a suspension of the rules, read a second time, engrossed, read a third time, and passed.

Mr. Tucker asked and obtained leave to introduce, out of order, a bill entitled

An act to amend an act entitled "an act to authorize the lease of the New Canal;"

Which, under a further suspension of the rules, was read a second time, ordered to be engrossed, read a third time, and passed.

SPECIAL ORDER FOR TO-MORROW.

On motion of Mr. Williamson, House bill No. 213:

An act to organize a bureau of immigration, to prescribe the duties thereof, and to fix the salary of the commissioners,

Was taken up, and made the special order of the day for to-morrow, immediately after the reading of the journal, and in preference to all other business:

And, on motion of Mr. Walker, House bill No. 73,

An act to raise a revenue to the State, by means of stamped paper, making appropriations for the purposes of the act, etc.,

Was made the special order of the day for to-morrow.

BILLS INTRODUCED.

The following entitled bills were introduced out of order, by consent of the House, read a second time, and referred to the Committee on the Judiciary:

By Mr. S. Anderson—

An act to fix the compensation of members of police juries throughout the State.

By Mr. Alverson—

An act to take the sense of the qualified voters of the State of Louisiana at an election to be held on the —— day of —— in —— upon the question of the removal of the State capital from New Orleans.

BILLS RETURNED.

Senate bills Nos. 232 and 235, entitled

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

And 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, making an appropriation for the same, approved March 7, 1865;

Were called up out of their regular order and referred to the Committee on Public Education.

On motion of Mr. Elam, leave of absence was granted to the Hon. A. L. Tucker of St. Mary.

MESSAGES FROM THE SENATE.

Messages were received from the Senate, through O. Arroyo, Esq., its Assistant Secretary, asking the concurrence of the House in Senate bills entitled:

Joint resolutions relative to the public buildings and property of the State located at Baton Rouge;

Joint resolution expressive of the sense of the legislature relative to the official course of Andrew Johnson;

And an act to regulate the sale of property seized under an order of seizure and sale, or a writ of *fi. fa.*;

The last named bill was taken up out of order, and referred, on motion of Mr. S. Anderson, to the Committee on the Judiciary.

By the same message the House was informed that the President of the Senate had signed

An act relative to suits for the ejectment of tenants.

On motion of Mr. Fenner the House adjourned.

THOS. L. MAXWELL,
Clerk House of Representatives.

LAWS OF LOUISIANA.

No. 20.]

AN ACT

TO CONFIRM AND RATIFY THE APPOINTMENT OF LEVEE COMMISSIONERS PROVISIONALLY MADE BY THE GOVERNOR OF THE STATE AND TO CONTINUE THEIR FUNCTIONS.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That the appointment by the Governor of the following persons, to wit: William W. Pugh, E. E. Kittridge, Tobias Gibson, W. S. Minor, F. L. Claiborne, A. D. M. Haralson, A. T. Welch, W. D. Winter, N. W. Pope, W. D. Goodrich, H. P. Morancy, Edward Sparrow, J. V. Duralde, W. M. Wilson, W. S. Briscoe, A. W. Walker, J. G. Osgood, R. C. Barrow, E. Lawrence, Thomas B. Decker and T. B. Trepagnier, provisionally to constitute a board of levee commissioners, is hereby approved and ratified.

SEC. 2. *Be it further enacted, etc.*, That the said board of levee commissioners are authorized and empowered to continue their functions, until superseded by such levee commissioners as may be established by law, or until otherwise ordered by the legislature, provided the term of office of said commissioners shall expire at the end of the next regular session of the Legislature.

SEC. 3. *Be it further enacted, etc.*, That the said board of levee commissioners shall have the full power to let out the contracts for the building and repairs of all levees in the State, which, in their judgment, are necessary to protect the alluvial lands from being overflowed. They shall have the entire control and management of the levees let out by them, with the powers to prescribe and regulate the dimensions and specifications of the levees to be built; they are authorized and empowered to appoint a secretary of the board and such number of chief engineers and assistant engineers, chain-carriers, and other officers as they may deem requisite, and shall have the power to fix the salaries and compensation of all persons employed by them, provided that the amount of the expenditures of the said board of levee commissioners, for rebuilding levees in this State, as hereinbefore provided, shall not exceed the sum of one million two hundred thousand dollars.

SEC. 4. *Be it further enacted, etc.*, That all moneys drawn from the State Treasury by the board, for the payment of levee contracts or for salaries, shall be authorized by a resolution of the board, and be drawn on the warrant of the chairman of the board, countersigned by the secretary.

SEC. 5. *Be it further enacted, etc.*, That the members of the board of levee commissioners, as herein ratified and approved, shall receive a compensation of six dollars per day for each and every day they shall actually be in attendance at the session of the board, to commence from the date of their appointment, and mileage at the rate of fifteen cents per mile, payable on their own warrants, on the State Treasurer, countersigned by the secretary of the board; *Provided*, That the session or sessions of the board of levee commissioners shall not consume more than thirty six days in any one year.

SEC. 6. *Be it further enacted, etc.*, That the salaries of the various officers to be appointed under the provisions of the third section of this act, shall be paid on the warrant of the chairman, countersigned by the secretary of the board.

SEC. 7. *Be it further enacted, etc.*, That the sum of twenty thousand dollars be and is hereby appropriated to be paid out of any money in the treasury, to the credit of the levee and drainage or swamp land fund, not otherwise appropriated, for the purpose of paying the salaries of the commissioners and all officers appointed by them, under the provisions of this act.

SEC. 8. *Be it further enacted, etc.*, That all laws contrary to the provisions of this act be and the same are hereby repealed.

SEC. 9. *Be it further enacted, etc.*, That this act shall take effect 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.

Approved Feb. 17, 1866.

(Signed) J. MADISON WELLS,
Governor of the State of Louisiana.

A true copy:
J. H. HARDY,
Secretary of State.

LOIS DE LA LOUISIANE.

No. 20.]

ACTE

CONFIRMANT ET RATIFIANT LA NOMINATION DES COMMISSAIRES DE LEVÉES PROVISOIREMENT FAITE PAR LE GOUVERNEUR DE L'ETAT ET PROROGANT LE TERME DE LEURS FONCTIONS.

SECTION 1. Le sénat et la chambre des représentants de l'Etat de la Louisiane, réunis en assemblée générale, décrètent: Est, par le présent, approuvé et ratifiée la nomination, par le gouverneur, des personnes suivantes, savoir: William W. Pugh, E. E. Kittridge, Tobias Gibson, W. S. Minor, F. L. Claiborne, A. D. M. Haralson, A. T. Welch, N. W. Pope, W. D. Winter, H. P. Morancy, F. M. Goodrich, Edward Sparrow, J. V. Duralde, W. M. Wilson, W. S. Briscoe, A. M. Walker, J. G. Osgood, R. C. Barrow, E. Lawrence, Thomas B. Decker et T. B. Trépagnier, lesquels ont été nommés à l'effet de former un bureau provisoire de commissaires des levées.

SEC. 2. Décrètent de plus: Le susdit bureau de commissaires des levées est autorisé par le présent à continuer ses fonctions jusqu'au jour où il sera remplacé par tels autres commissaires désignés par la loi ou jusqu'à ce que la législature en ait disposé différemment; bien entendu que lesdits commissaires cesseront leurs fonctions à la fin de la prochaine session régulière de la législature.

SEC. 3. Décrètent de plus: La susdite commission des levées aura le droit d'affirmer les entreprises pour la construction et la réparation des levées dans l'Etat qu'elle jugera, dans sa discrétion, nécessaire à la protection des terres d'alluvion contre l'inondation; elle aura le contrôle plein et entier des levées affermées, avec pouvoir de prescrire et réglementer les dimensions des levées à construire et les conditions exigées; elle pourra se nommer un secrétaire et tout autant d'ingénieurs-en-chef et aides, porteurs de chaînes et employés dont elle aura besoin, avec droit de déterminer les appointements que chacun de ces employés recevra; bien entendu que les dépenses de la commission des levées de cet Etat n'excédera pas un million deux cent mille piastres.

SEC. 4. Décrètent de plus: Toute somme tirée du trésor par la commission pour solde des contrats de levées ou appointements des employés, le sera sur l'ordonnance des commissaires et sur le mandat du président contresigné par le secrétaire.

SEC. 5. Décrètent de plus: Les membres du bureau dont la nomination est par le présent approuvée et ratifiée, recevront une rétribution de six piastres par jour de présence aux séances à compter du jour de leur entrée en fonctions, et un droit de frais de route de quinze cents par mille, le tout payable par le trésor d'État sur leur propre mandat, contresigné par le secrétaire, bien entendu que les commissaires n'auront pas droit à plus de trente-six séances par an, d'un jour chacune.

SEC. 6. Décrètent de plus: Les appointements des différents employés nommés en vertu de la troisième section du présent acte, seront payés sur le mandat du président du bureau, contresigné par son secrétaire.

SEC. 7. Décrètent de plus: Afin de payer les appointements des commissaires et de tous les employés par eux nommés en vertu des dispositions de cet acte, la somme de vingt mille piastres est spécialement allouée, payable de tous fonds du trésor, au crédit de la commission des levées et desséchements, dont il n'aura pas été disposé différemment.

SEC. 8. Décrètent de plus: Toute lois ou clauses contraires aux dispositions du présent acte sont et demeurent abrogées.

SEC. 9. Décrètent de plus: Cet 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.

Approuvé le 17 février 1866.

J. MADISON WELLS,
Gouverneur de l'État de la Louisiane.

Pour copie conforme:
J. H. HARDY,
Secrétaire d'État.

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