New Orleans Daily Crescent.

OFFICIAL JOURNAL

OF THE STATE OF LOUISIANA.

THURSDAY MORNING, MARCH 29, 1866.

EXECUTIVE JOURNAL

—OF THE—

SENATE OF THE STATE OF LOUISIANA.

Friday, February 23, 1866.

The Senate met in executive session, Hon. Victor Burthe in the Chair, Messrs. Abney, Anderson, Armstrong, Brownlee, Brusle, Campbell, Cooley, Duvigneaud, Egan, Ellis, Fellowes, Foute, Gibson, Gordon, Hough, Kavanagh, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Jackson, Nelson, Palfrey, Pochè, Purcell, Scruggs and Taylor—23 Senators.

REPORT FROM A STANDING COMMITTEE.

Mr. Duvigneaud, on behalf of Mr. Burthe, chairman of the Committee on the Judiciary, submitted the following report:

Your committee, to whom was referred the communication of his Excellency J. Madison Wells, Governor of Louisiana, asking the advice and consent of the Senate, upon certain appointments made by him during the recess of the Senate and prior to the session of November, 1865, beg leave to report:

That they have carefully examined the question submitted to them, and are unanimously of opinion that the subject presents no difficulty and does not even admit of a doubt.

The Constitution of the State provides:

ART. 54. The Governor shall nominate, and with the advice and consent of the Senate, appoint all officers whose offices and whose appointments are not herein provided for.

ART. 55. The Governor shall have power to fill vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of the next session thereof.

ART. 59. He may, on extraordinary occasions, convene the General Assembly, at the seat of government, or at a different place, if that should have become dangerous from an enemy, or from epidemic; and in case of disagreement between the two Houses as to the time of adjournment, he may adjourn them to such time as he may think proper, not exceeding four months.

From the preceding articles of the Constitution, it is clear that all the officers who have been appointed by the Executive during the recess of the Senate, between the sessions of April and November, 1865, are *functi officio*, and that their commissions expired on the last day of the session following their appointment, viz: on the 23d day of December, 1865.

Your committee suppose that this action of the Governor is owing to the fact that the session which followed the appointment referred to in his communication was called by him on one of the *extraordinary occasions* contemplated by article 59 of the Constitution, and generally called *extra sessions*. But the Constitution makes a difference in the power to continue nominations between such sessions and the regular annual sessions provided for by article 7 of the Constitution, and which are to be held on the fourth Monday of January. The Senate has expressed a desire that the committee should point out some remedy to prevent the recurrence of a case like the present. Your committee admit that this is the only part of their mission which presents some difficulty. At a time when we are surrounded by so many dangers which threaten our hopes of reconstruction, the Senate has, in many instances, shown their earnest desire to preserve harmony and confidence between the legislative and the executive branches of government.

Whilst your committee unanimously agree with the Senate, in the desire to preserve that harmony, they are of opinion that the Senate cannot, for themselves or for their successors, abandon any of their constitutional rights, or sanction by their concurrence, or even by their silence, any misconstruction of the Constitution, which might hereafter be invoked as a precedent.

Your committee should, therefore, recommend that a respectful, but solemn protest be entered against the action of the Executive in the premises, and that a committee of the Senate be appointed to call upon his Excellency, the Governor of Louisiana, and confer with him upon the subject, and to represent to him that this action of the Senate is based upon no opposition to the officers appointed by him, and that by withdrawing the appointments already sent in, and by offering them again or others as new and recent nominations, the difficulty may be obviated, and the Senate may be at liberty to act upon such nominations. But that they cannot now approve and confirm nominations or appointments made before the session of November, 1865, the commissions of the parties nominated or appointed having expired at the end of said session.

Your committee would also remark that such deviation from the principles of the Constitution would lead to endless litigation between the parties newly appointed and the present holders of said offices.

Respectfully submitted,

(Signed) VICTOR BURTHE,
Chairman Judiciary Committee.

On motion of Mr. Duvigneaud, the above report was unanimously adopted. Hon. Albert Voorhies, Lieutenant Governor and President of the Senate, in the Chair.

Whereupon, and in pursuance to the recommendation of the Committee on the Judiciary contained in the above report just adopted by the Senate, the President appointed Messrs. Egan, Burthe, Duvigneaud, Ellis, Hough, Cooley and Foute the select committee to wait on his Excellency the Governor.

REPORT FROM A SELECT COMMITTEE.

Mr. Duvigneaud, from the select committee to whom was referred the pardon of Henry Glass, tried and convicted before the district court in and for the parish of Jefferson, for "inflicting a dangerous wound upon one with a dangerous weapon, with intent to kill," and sentenced on the 8th day of November, 1865, to six months in the parish prison, and to pay a fine of twenty-five dollars; and also the pardon of Aaron Chase, a freeman, convicted before the First District Court of New Orleans of assault and battery, and sentenced to eighteen months at hard labor, from the 9th day of December, submitted a favorable report in both cases.

On motion of Mr. Burthe, the Senate proceeded to the consideration of the pardon extended by his Excellency the Governor to Henry Glass, and on a further motion to concur in the same, the roll was called and the following was the result of the vote, to-wit:

Yeas—Messrs. Abney, Anderson, Brownlee, Brusle, Burthe, Campbell, Cooley, Duvigneaud, Egan, Ellis, Fellowes, Foute, Gibson, Gordon, Hough, Kavanagh, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Jackson, Nelson, Palfrey, Pochè, Purcell, Scruggs and Taylor—28 Senators.

Nays—None.

So the Senate unanimously concurred in said pardon.

On motion of Mr. Burthe, the Senate proceeded to the consideration of the pardon extended by his Excellency the Governor to Aaron Chase, and on a further motion to concur in the same, the roll was called and the following was the result of the vote, to-wit:

Yeas—Messrs. Abney, Anderson, Campbell, Duvigneaud, Egan, Ellis, Fellowes, Foute, Gibson, Gordon, Hough, Kavanagh, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Jackson, Palfrey, Pochè, Purcell, Scruggs and Taylor—21 Senators.

So the Senate refused to concur in said pardon.

On motion of Mr. Duvigneaud, the executive session adjourned and the doors were ordered to be reopened.

OSCAR ARROYO,
Assistant Secretary of the Senate.

WEDNESDAY, February 28, 1866.

The Senate met in executive session.

Present, the Hon. Albert Voorhies, Lieutenant Governor and President of the Senate; and Messrs. Abney, Anderson, Brusle, Burthe, Campbell, Cooley, Ellis, Fellowes, Foute, Gibson, Hough, Kavanagh, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Jackson, Nelson, Palfrey, Pochè, Purcell, Taylor, Welch and Wilcoxon—23 Senators.

The President laid before the Senate the following communication from his Excellency, the Governor:

[No. 11.]

STATE OF LOUISIANA, EXECUTIVE DEPARTMENT, New Orleans, February 20, 1866.

To the Senate:

I herewith withdraw the list of nominations for Administrators of the Insane Asylum, transmitted by me on the 20th inst., and substitute the following:

Philip Fishburne,
John McKowen,
Thomas S. Jones,
Isaacson Gayden,
John T. McKneely.

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

On motion of Mr. Munday, the rules were suspended, and the Senate proceeded to the consideration of the above message, and on a further motion to confirm the nominations therein contained, the roll was called, and the following was the result of the vote, to-wit:

Yeas—Messrs. Abney, Anderson, Brusle, Burthe, Campbell, Cooley, Ellis, Fellowes, Foute, Gibson, Hough, Kavanagh, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Jackson, Nelson, Palfrey, Pochè, Purcell, Taylor, Welch and Wilcoxon—25 Senators.

Nays—None.

So the Senate unanimously confirmed the above nominations.

The President laid before the Senate the following communication from his Excellency the Governor, viz:

[No. 12.]

STATE OF LOUISIANA, EXECUTIVE DEPARTMENT, New Orleans, February 27, 1866.

To the Senate:

I submit the papers in the case of Edwin Cox, tried and convicted before the First District Court of New Orleans on the charge of manslaughter, and sentenced on the 6th of February, 1866, to one month imprisonment at hard labor and to pay a fine of one dollar and costs.

Referring to the accompanying letter from the attorney general, the Senate concurring, I will grant him a pardon.

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

On motion of Mr. Munday, the rules were suspended and the Senate proceeded to the consideration of the above message, and on a further motion to confirm the pardon therein contained, the roll was called and the following was the result of the vote, to-wit:

Yeas—Messrs. Abney, Anderson, Brusle, Burthe, Campbell, Cooley, Duvigneaud, Egan, Ellis, Fellowes, Foute, Gibson, Hough, Kavanagh, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Jackson, Nelson, Palfrey, Pochè, Purcell, Taylor, Welch and Wilcoxon—25 Senators.

Nays—None.

So the above pardon was unanimously concurred in.

On motion of Mr. Kenner, the executive session adjourned, and the doors were ordered to be reopened.

OSCAR ARROYO,
Assistant Secretary of the Senate.

THURSDAY, March 1, 1866.

The Senate met in executive session.

Present, the Hon. Albert Voorhies, Lieutenant Governor and President of the Senate, Messrs. Abney, Anderson, Brusle, Burthe, Cooley, Duvigneaud, Fellowes, Foute, Gibson, Gordon, Hough, Kavanagh, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Jackson, Nelson, Palfrey, Pochè, Purcell, Scruggs, Taylor, Welch and Wilcoxon—26 Senators.

REPORTS FROM SELECT COMMITTEES.

Mr. Hough, from the select committee appointed to wait on his Excellency the Governor, in relation to nominations made by him before the extra session of the legislature, began and held in November last, submitted the following report, to-wit:

The special committee appointed to wait upon the Governor and confer with him as to the subject matter involved in the report of the Judiciary Committee concerning certain nominations and appointments made previous to the adjournment of the extra session of the General Assembly, beg leave respectfully to report:

That they had an interview with the Governor, who received them courteously and at once expressed his willingness and intention to withdraw his appointments of the class referred to, adding that he would send in new nominations at his earliest convenience.

WADE H. HOUGH,
Chairman in the absence of Senator Egan.

On motion of Mr. Kenner, the above report was unanimously adopted.

Mr. Duvigneaud, from the select committee, to whom was referred the nominations of notaries public in and for the city and parish of Orleans, submitted the following report:

The special committee, to whom was referred the nominations of notaries public, sent by his Excellency, Governor Wells, beg leave to report that they have adopted the same reasons as set forth in the report of the Judiciary Committee, to whom were referred the nominations of administrators of the Charity Hospital, and consider therefore that all the notaries appointed by the Governor before the last day of the Senate's last session, and not acted upon, are *functi officio*. The nomination of John Bendernagel is the only one excepted, having been made on the 2d February, 1866; the committee therefore recommend the confirmation of said Bendernagel as notary public for the city of New Orleans.

L. DUVIGNEAUD,
Chairman.

On motion of the same Senator, the report was unanimously adopted.

On motion of the same Senator, the rules were suspended, and the Senate proceeded to the consideration of John Bendernagel to be notary public in and for the parish of Orleans, and on a further motion to confirm the same, the roll was called, and the following was the result of the vote, viz:

Yeas—Messrs. Abney, Anderson, Brusle, Burthe, Cooley, Duvigneaud, Egan, Ellis, Fellowes, Foute, Gibson, Gordon, Hough, Kavanagh, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Jackson, Nelson, Palfrey, Pochè, Purcell, Scruggs, Taylor, Welch and Wilcoxon—26 Senators.

Nays—None.

So the Senate unanimously confirmed the above nomination.

The President laid before the Senate the following communication from his Excellency the Governor:

[No. 13.]

STATE OF LOUISIANA, EXECUTIVE DEPARTMENT, New Orleans, March 5, 1866.

To the Senate:

In conformity with an act of the legislature entitled "an act to authorize the lease of the new canal," and thereto annexed, I caused an advertisement to be published in the official paper and one other paper in the city of New Orleans, on the 11th day of February, 1866, for the period of twenty days, expiring the 24 day of March, inviting sealed proposals for the lease of the said canal, a copy of which advertisement is also annexed. In response thereto I have received nine proposals, which were opened by me on the 3d of March, and the originals are herewith sent.

I have classified and footed up the total of each bid, as follows, all being for the term of fifteen years:

No. 1—R. Waggaman	$580,000
No. 2—R. Taylor	755,000
No. 3—Jules A. Blanc	630,000
No. 4—Louis Gagnet	830,000
No. 5—F. H. Hatch	770,000
and five per cent. of the annual increase of the gross receipts after the first year.	
No. 6—Henry Ellerman	750,000
No. 7—W. Wakefield	480,000
No. 8—J. W. Black	455,000
No. 9—G. T. Beauregard	450,000

In further conformity to said act, I have, and do hereby accept, the bid of R. Taylor for the sum of $755,000, securities D. D. Withers and B. W. Huntington, as the highest and most advantageous to the State, and do recommend that the State enter into a contract with him for the lease of the new canal for the term of fifteen years, at the price and on the terms as proposed.

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

LEASING OF THE NEW CANAL.

STATE OF LOUISIANA, EXECUTIVE DEPARTMENT, New Orleans, Feb. 10, 1866.

In conformity to the following act of the General Assembly, sealed proposals will be received at this office for the period of twenty days from the date hereof, for the lease of the new canal, on the terms and conditions set forth in the act hereto annexed.

Proposals to be addressed to the Governor of the State, and indorsed "proposals for leasing the new canal."

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

AN ACT TO AUTHORIZE THE LEASE OF THE NEW CANAL.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened*, That the canal belonging to the Canal and Banking Company, and constructed under the charter of said company, incorporated March 5th, 1831, situated, lying and being in the parishes of Orleans and Jefferson, together with all the rights, property, privileges and uses, in any way belonging and appertaining thereto, or claimed by said company under said act of incorporation, and which, by virtue of said act, reverts to the State on the 5th day of March, 1866, be and the same is hereby ordered to be leased for a term of years not to exceed fifteen, nor less than five years.

Provided, however, That nothing in this act shall be so construed as to have the effect of releasing the Canal and Banking Company from the obligation of returning the property herein described in the good order and condition provided for in their charter.

SEC. 2. *Be it further enacted, etc.*, That it shall be the duty of the Governor, immediately after the passage of this act, to cause to be advertised in one or more newspapers in the city of New Orleans, for the period of twenty days, that the said canal, with all the rights and privilege appertaining thereto or claimed, and now enjoyed by the Canal and Banking Company, under its charter, except sixty feet immediately adjoining Cypress Grove and Greenwood cemeteries, toward the canal, which is hereby reserved by the State of Louisiana, for the use of the Firemen's Charitable Association of the city of New Orleans—is offered for lease, as set forth in the first section of this act, and to call for sealed proposals for the lease of the same; *Provided*, That the lessee shall be required to make the repairs described by specifications and plan in the report of the State Engineer to the Governor, dated January eighteenth, one thousand eight hundred and sixty-six, which shall be made part of the lease; that he will also be required to keep the canal, shell road, and all other property, in good working order and condition, as is provided by the charter of the canal company; that the cost of the repairs to the extent of sixty-eight thousand dollars shall be allowed to the lessee, in three equal amounts, to be deducted, one third each year from the annual rent; that the repairs and improvements provided by this section, shall be made subject to the approval of the State Engineer; *Provided further*, That it be made a condition of the lease, that the lessee shall permit the culverts now receiving the waters of the Second Drainage District to remain open.

SEC. 3. *Be it further enacted, etc.*, That at the expiration of the time allowed for such advertisement, the Governor shall accept such proposal as he may deem the most advantageous to the State, and forthwith submit, the same, with his approval, to the Senate in executive session for their approval, and if approved by the Senate, said property shall be put in the form of a contract between the State represented by the Governor and the lessee; provided, however, that all the proposals for the lease of said canal, which have not been accepted, shall be open to the inspection of the members of the Senate; provided that upon the opening of such proposals, if the Governor and Senate shall decide that none of the proposals are advantageous to the State, the Governor and Senate are hereby authorized and empowered to readvertise the same for the space of thirty days in the newspapers the Governor may select in the city of New Orleans; and provided still further that in case the Governor is not satisfied with the proposals to be received under the second advertisement, he is hereby authorized and empowered, if the Senate be adjourned, to lease the same after twenty days' public notice to the person or persons who will offer the most for the said canal for twelve months.

SEC. 4. *Be it further enacted, etc.*, That all proposals for the lease of said canal shall be accompanied by the names of the sureties, and the amount of security required shall not be for an amount less than one year's rent; and the lessee shall be bound to keep the canal in good order, and to comply with all the obligations to the State and to the public, required of the Canal and Banking Company by its charter, for the working and preservation of said canal, under the penalty of a forfeiture of the lease for the violation of the same.

SEC. 5. *Be it further enacted, etc.*, That the Governor is hereby authorized and required to take, immediately after the fifth day of March, 1866, such proper and legal steps as may be necessary to recover from the Canal and Banking Company any claim which the State may have against said company, under the provisions of its charter.

SEC. 6. *Be it further enacted, etc.*, That this act 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 Dec. 10, 1866.
(Signed) J. MADISON WELLS,
Governor of the State of Louisiana.

A true copy:

J. H. HARDY,
Secretary of State.

On motion of Mr. Lapeyre, the rules were suspended, and the Senate proceeded to the consideration of the proposal of R. Taylor, for the lease of the New Canal for the sum of $750,000, with D. D. Withers and B. W. Huntington as sureties, for the term of fifteen years, approved and recommended by his Excellency the Governor, as the highest and more advantageous to the State, and on a further motion to approve of the same, the roll was called, and the following was the result of the vote, to-wit:

Yeas—Hon. George W. Munday in the Chair, and Messrs. Abney, Anderson, Armstrong, Barrow, Brownlee, Burthe, Campbell, Cooley, Duvigneaud, Fellowes, Foute, Gordon, Hough, Kavanagh, Kenner, Lapeyre, Lott, Mohan, Newton of Jackson, Newton of Morehouse, Palfrey, Purcell, Scruggs, Taylor, Welch and Wilcoxon—27 Senators.

Nays—None.

So the Senate unanimously approved of said proposal.

On motion of Mr. Gordon, the injunction of secrecy was removed, so far as said subject matter was concerned.

The President also submitted a communication from his Excellency the Governor:

[No. 14.]

STATE OF LOUISIANA, EXECUTIVE DEPARTMENT, New Orleans, March 5, 1866.

To the Senate:

All nominations for office transmitted by me, and not acted on by the Senate, are hereby withdrawn.

J. MADISON WELLS,
Governor of Louisiana.

On motion of Mr. Burthe, the executive session adjourned, and the doors were ordered to be reopened.

OSCAR ARROYO,
Assistant Secretary of the Senate.

THURSDAY, March 8, 1866.

The Senate met in executive session.

Present, the Hon. Albert Voorhies, Lieutenant Governor and President of the Senate; Messrs. Armstrong, Barrow, Brusle, Campbell, Cooley, Duvigneaud, Ellis, Fellowes, Foute, Gibson, Gordon, Kavanagh, Kenner, Lapeyre, Lott, Munday, Newton of Jackson, Newton of Morehouse, Nelson, Palfrey, Pochè, Scruggs, Taylor, Welch and Wilcoxon—23 Senators.

The President laid before the Senate the following communication from his Excellency the Governor, to-wit:

[No. 15.]

STATE OF LOUISIANA, EXECUTIVE DEPARTMENT, New Orleans, March 7, 1866.

To the Senate:

I submit a petition herewith, signed by a large number of citizens of the parish of St. Martin, praying for the pardon of one Valsin Deroussells, tried and convicted before the district court of said parish, on the 31st day of May, 1854, for the crime of manslaughter, and sentenced to the penitentiary at hard labor for the term of twenty years.

Giving due weight to all the facts set forth in the petition, I consider the ends of justice sufficiently vindicated by the punishment he has undergone, and the Senate concurring I will grant him a full pardon.

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

On motion of Mr. Pochè, the rules were suspended and the Senate proceeded to the consideration of said pardon, and on a further motion of Mr. Brusle to concur in the recommendation of his Excellency, the Governor, the roll was called, and the following was the result of the vote, to-wit:

Yeas—Messrs. Armstrong, Barrow, Brusle, Campbell, Cooley, Duvigneaud, Ellis, Fellowes, Foute, Gibson, Gordon, Hough, Kavanagh, Kenner, Lapeyre, Lott, Munday, Newton of Jackson, Newton of Morehouse, Nelson, Palfrey, Pochè, Scruggs, Taylor, Welch and Wilcoxon—25 Senators.

Nays—None.

So the Senate unanimously concurred in said pardon.

On motion of Mr. Duvigneaud, the executive session adjourned, and the doors were ordered to be reopened.

OSCAR ARROYO,
Assistant Secretary of the Senate.

WEDNESDAY, March 14, 1866.

The Senate went into executive session.

Present, Hon. Victor Burthe, in the Chair, and Messrs. Anderson, Armstrong, Barrow, Bell, Brusle, Coco, Cooley, Duvigneaud, Ellis, Fellowes, Foute, Gibson, Gordon, Hough, Kavanagh, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Jackson, Newton of Morehouse, Nelson, Palfrey, Pochè, Purcell, Scruggs, Taylor and Welch—29 Senators.

The President laid before the Senate the following communication from his Excellency the Governor to-wit:

[No. 16.]

STATE OF LOUISIANA, EXECUTIVE DEPARTMENT, New Orleans, March 14, 1866.

To the Senate:

The following list of nominations for notaries public in and for the parish of Orleans are submitted for the advice and consent of the Senate:

Charles Stringer, James Graham, Alexandre Bienvenu, Octave Morel, Andrew Hero, P. S. Biron, Joseph Cohn, Abel Dreyfous, Alphonse Barnett, Charles V. Foulon, Robert J. Ker, William Shannon, Oneslphore Dronet, Etienne Lanier, Ernest Ende, Joseph Cuvillier, Pierre Coudrain, Selim Magner, Michael Gernon, Walter H. Peters, Thomas Layton, Hugh Madden, Edw. George Gottschalk, Arthur Brocard, Edward Barnett, P. C. Cuvellier, Richard Brenan, André D. Doriocourt, Octave De Armas, Alcée J. Ker, Andrew Hero Jr., Arthur C. Waugh, Theodore O. Stark, W. J. Castell, Prosper Camus, Paul E. Laresche, Euslbe Bouny, Felix Grima, James Wood Breedlove, Charles Boudousquié, Amedée Ducatel, Antoine Doriocourt, A. J. Lewis, George W. Christy, Adolphe Mazureau, Nicholas E. Trist, John Bendernagel, Jos. Morris Day.

And on a further motion to confirm the above and foregoing nominations, the roll was called and the following was the result of the vote, to-wit:

Yeas—Messrs. Armstrong, Barrow, Burthe, Campbell, Cooley, Duvigneaud, Ellis, Fellowes, Foute, Gibson, Gordon, Hough, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Morehouse, Nelson, Palfrey, Pochè, Purcell, Scruggs, Taylor, Welch and Wilcoxon—26 Senators.

Nays—None.

So the nominations were unanimously confirmed by the Senate.

The nomination of James Graham to be notary public in and for the parish of Orleans was then taken up for confirmation:

The roll was called, and the following was the result of the vote, to-wit:

Yeas—Mr. Purcell—1 Senator.

Nays—Messrs. Armstrong, Barrow, Burthe, Campbell, Cooley, Duvigneaud, Ellis, Fellowes, Foute, Gibson, Gordon, Hough, Kenner, Lapeyre, Lott, Mohan, Munday, Newton of Morehouse, Nelson, Palfrey, Pochè, Scruggs, Taylor, Welch and Wilcoxon—23 Senators.

So the Senate refused to confirm the nomination.

On motion of Mr. Duvigneaud, the injunction of secrecy was removed, so far as the action of the Senate in executive session was concerned.

On motion of Mr. Mohan, the executive session adjourned, and the doors were ordered to be reopened.

OSCAR ARROYO,
Assistant Secretary of the Senate.

OFFICIAL.

PROCLAMATION

BY J. MADISON WELLS,

GOVERNOR OF THE STATE OF LOUISIANA.

Whereas, an act of the General Assembly, approved March 6th, 1866, provides that an election shall be held throughout the State, on the first Monday of May, 1866, for the offices hereinafter named, to-wit:

One District Attorney in and for the parish of Orleans.

One District Attorney in and for each Judicial District throughout the State.

One Sheriff in and for each parish.

One Clerk of Court in and for each parish, except for the parish of Orleans.

One Clerk of Court each, for the First, Second, Third, Fourth, Fifth and Sixth District Courts in and for the parish of Orleans.

One Recorder in and for each parish, except the parish of Orleans.

One Assessor in and for each parish, except the parish of Orleans.

Four Assessors in and for the city of New Orleans.

One Assessor in and for the parish of Orleans, right bank.

One Coroner in and for each parish.

An equal number of Justices of the Peace and Constables, according to the districts and wards in each parish, as established by law.

Four State Tax Collectors, one for each district in and for the city of New Orleans.

One State Tax Collector in and for the Right Bank, parish of Orleans.

One State Tax Collector in and for the parish of Jefferson.

Now, therefore, I do issue this my proclamation commanding all Sheriffs, Commissioners of Election, and other officers therein concerned, to hold said election on the day aforesaid named, to-wit: the FIRST MONDAY OF MAY, 1866, for the various offices as before going enumerated, and for so doing this will be their sufficient warrant and authority without further notice.

Said election to be conducted and returns thereof to be made in all respects according to the provisions of the Constitution and laws in such cases made and provided.

For the guidance and information of voters I annex hereto the qualifications of voters as established by law:

"Every white male who has attained the age of twenty-one years, and who has been a resident of the State twelve months next preceding the election, and the last three months thereof in the parish in which he offers to vote, and who shall be a citizen of the United States, shall have the right of voting."

In addition to the foregoing qualification, every elector is required to produce the amnesty oath prescribed in the President's proclamation, either of the 8th of December, 1863, or that of the 29th of May, 1865, sworn to and subscribed by him before competent authority.

"I do solemnly swear or affirm, in the presence of Almighty God, that I will hereafter faithfully defend the Constitution of the United States and the Union of the States thereunder, and that I will, in like manner, abide by and faithfully support all laws and proclamations which have been made during the existing rebellion with reference to the emancipation of slaves. So help me God."

This oath is imperative on and after the 29th day of May, 1865, and will be rigidly enforced. It will be understood, at the same time, that those who are by any of the list of exceptions contained in the excluded from the benefits of this amnesty oath, proclamation, will not be allowed to vote unless specially pardoned by the President.

Given under my hand and seal of the State at the city of New Orleans, the sixteenth day of March, A. D., 1866, and of the independence of the United States the ninetieth.

J. MADISON WELLS

By the Governor:

J. H. HARDY, Secretary of State.

AUTHORIZED BY ACT OF CONGRESS

THE ONLY LEGALIZED AND CHARTERED LOTTERY

IN THE UNITED STATES.

The only one paying United States License and 5 per cent. Internal Revenue Tax, on all sales to the United States.

"Kentucky State Lottery."

HAVANA SCHEME.

SIMMONS, FRANCE & CO., MANAGERS

CAPITAL PRIZE: $40,000!

CLASS 154—To be drawn in Covington, Kentucky, on SATURDAY, March 31st, 1866.

SCHEME:

1 prize of	$40,000 is	$40,000
1 prize of	20,000 is	20,000
1 prize of	10,000	
1 prize of	10,000 } are	20,000
1 prize of	7,375	
1 prize of	7,375 } are	14,750
1 prize of	5,000	
1 prize of	5,000 } are	10,000
1 prize of	5,000	
1 prize of	5,000	
1 prize of	5,000	
1 prize of	5,000 } are	10,000
1 prize of	3,000	
1 prize of	3,000 } are	6,000
11 prizes of	2,000 are	22,000
25 prizes of	1,000 are	25,000
80 prizes of	500 are	40,000
100 prizes of	200 are	20,000
5000 prizes of	20 are	100,000
5200 prizes	amounting to	$318,750

Whole Tickets, $12; Halves, $6; Quarters, $3; Eighths, $1 50.

Tickets sold and Prizes cashed by

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