

STATE LEGISLATURE.

EIGHTEENTH DAY.

Senate. Saturday, July 18, 1868.

The Senate met at noon, pursuant to adjournment. Lieutenant Governor Deane presiding.

Twenty members present. Prayer by Bishop J. M. Brown, colored.

The reading of the journal was dispensed with. The enrollment committee reported the enrollment of an act to amend an act incorporating the Commercial Bank.

The judicial and election committees reported progress. Mr. Lynch, on the part of the majority of the committee on printing, reported favorably on the printing bill.

Mr. Campbell moved a suspension of the rules to take action on the report of the committee on printing. Lost.

By Mr. Good—Notice to introduce on Monday a resolution for the appointment of a committee to investigate the affairs of the levee commissioners.

By Mr. Blackman—A resolution for the appointment of a committee to investigate the reasons why the warrant clerk cannot procure the necessary funds to pay the per diem and mileage of the members.

Mr. Blackman said that although an appropriation of \$150,000 had been made to pay the expenses of the General Assembly, the warrant clerk had found it impossible to procure the necessary funds. There was a difficulty somewhere.

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By Mr. Bacon—A bill relating to imprisonment and fines. The bill prohibits the remission of fines or imprisonment by magistrates fining or committing offenders of the law.

By Mr. O'Hara—A bill to establish a constabulary force in this State. SECTION 1. That the governor, with the advice and consent of the Senate, shall appoint magistrates, in any or all the parishes of this State, as he may deem necessary, a board of three commissioners, whose duty it shall be to organize a constabulary force in their respective districts, of not less than two hundred and fifty men, to preserve and assist in enforcing law and order.

SECTION 2 provides that the force shall be subject to the call of the sheriff, parish judge, recorders, as well as the governor of the State.

SECTION 3 provides to pay \$700 per annum to each of the said commissioners, \$3 per day to each member of the constabulary force while on duty. The expense to be borne by their respective parishes.

SECTION 4 requires the commissioners and members to take the test oath and the oath required by the Constitution.

By Mr. Bragdon—A bill relative to the appointment of deputy clerks in the district courts. Read twice and referred to the committee on the judiciary.

The bill provides that the clerks of district courts shall have the right of appointing as many deputies as they may deem necessary, who shall take the prescribed oaths; provided, that the minute clerk shall be appointed by the judge at a salary not to exceed \$200 per month, to be paid by the clerk; and provided, that the judge and not the clerk will be responsible for all the official acts of the said minute clerk.

By Mr. Campbell—A bill for the suspension of the rules to introduce a bill to incorporate the Louisiana State Lottery Company. Suspension refused.

Mr. Campbell then gave notice that he would introduce the bill on Monday.

On a suspension of the rules, Mr. Ray introduced a bill to define the duties of parish judges. The provisions of the bill are that the parish judge shall appoint a clerk, who, before entering upon his duties as such, shall take the oath prescribed for State officers. He shall have power and authority to sign all documents which are required of clerks of district courts. He shall have an official seal, and his signature shall be recognized and shall be as binding in law as those of clerks of district courts. The appointment to be published in the official journal of the State, the salary of said clerk to be fixed by the judge at his own discretion; the judges to make requisitions upon their respective parish committees for blanks and stationery.

The bill underwent two readings and was referred to the committee on the judiciary.

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He had shown them that the testimony against him was ex parte; that it was contradicted by his own witness and yet this evidence, taken before a freedmen's bureau agent, who has no right to certify to acknowledgments, was all they had. In conclusion he said he now presented himself under the nineteenth article of the constitution ready to take his seat. He was willing to support the Constitution and was eligible under it. The idea of November will tell whether or not he is competent to a seat on this floor.

Mr. Noble, of Orleans, followed, and arguing action upon the minority report first, and proposing a bill of another election in De Soto.

Mr. Carr, of Orleans, said each member had come before the committee asking only for justice, and each expressed himself satisfied that such would be meted him. Justice Wemple had been a member of the Legislature before he was, had claimed to have been a Union man during the war, and had served as a receiver of Confederate money. He had been denied registration by General Sheridan, but had been admitted to by General Buchanan. He desired to dwell strongly upon this fact. He asked leave also to read a document which he had in his hand.

Judge Wemple objected to it as being ex parte testimony. The document, which consisted of two affidavits, was read by the clerk—and Judge Wemple having replied briefly.

Mr. Pratt requested that the clerk of the House be ordered to produce the balance of the testimony in the case. This being directed, the clerk of the House proceeded to read a number of affidavits.

Burrill of St. John Baptist asked if all those papers were to be read. If so, it would take thirty days.

Mr. Pratt requested the reading of the evidence. Mr. Carr—What! read all those papers? Mr. Pratt—I do not see that it concerns the gentleman how much I read. I propose to read as much as necessary.

The clerk proceeded with the affidavits. Isabelle of Orleans rose to a point of order. Rees of Lafourche, in the chair, decided that Mr. Pratt had the floor pending the reading of the testimony.

McVeen of Caddo appealed from the decision. Mr. Pratt claimed the appeal was out of order, and insisted upon his right to speak.

The appeal being put to the House, the chair was not sustained. After motions to adjourn and for the previous question had been lost, Mr. Pratt finally yielded the floor.

Mr. Noble of Orleans followed, contending that Judge Wemple was eligible under the Constitution.

Mr. Carr of Orleans said he was not eligible under the 14th amendment, and that members should continue themselves to that.

Mr. Noble then read an affidavit signed by Judge Wemple, avowing that he had favored the reconstruction acts of Congress prior to January 1, 1868. And now, said he, will you, by excluding the member, trample upon your own Constitution and laws and make them null and void?

The vote by ayes and noes being taken upon the majority report, in detail, it was adopted, and Stephen Humphries was sworn and took his seat as representative from the parish of De Soto.

The judiciary committee recommended the passage of the act giving certain powers to parish judges. It was put upon its third reading and was finally passed.

The committee on enrollment reported favorably upon the resolution providing for the division of the State into congressional districts, and facilitating parish officers in furnishing bonds.

The committee on contingent expenses reported favorably upon the resolution permitting certain committees to hire office room for their use.

The special committee appointed to inquire why the auditor had not honored member's warrants, reported that the difficulty was occasioned by the governor's not having signed the act transferring certain funds in the treasury to the general fund.

The bill "to facilitate parish officers, etc.," was passed and sent to the Senate for concurrence.

Mr. Pratt offered a resolution censuring the auditor for refusing to recognize the signature of the governor, and the seal of the State.

Mr. Harper moved to return it to its author. Mr. McMillen thought that the fault, if any, laid with the secretary of state and not with the auditor.

Mr. Pratt withdrew the resolution. The bill, by Morey, of Ouachita, providing for a new district into congressional districts, was put on its third reading, and referred to a select committee of five.

SENATE BILLS. Appointing a committee to investigate the books and accounts of the auditor and treasurer, and transferring causes from parish courts to district courts created by the Constitution, were finally passed.

The following bills passed their second reading, viz: Relative to masters and wardens of port of Orleans. Referred to committee on commerce.

Thanking the board of registration. Referred to committee on ways and means.

Relative to insane Asylum of New Orleans. Referred to committee on charitable institutions.

Relative to tax collectors' accounts. Referred to committee on judiciary.

Repealing article 691, Louisiana Code of Practice. Referred to committee on judiciary.

Amending article 1120, Civil Code. Referred to committee on judiciary.

To fix the terms of courts in Third Judicial District. Referred to committee on judiciary.

To improve navigation of Lake Bienville and Loggy Bayou. Referred to committee on internal improvements.

OFFICIAL.

CITY TREASURER'S OFFICE, New Orleans, July 13th, 1868.

Notice is hereby given by the City Treasurer of New Orleans to the delinquent tax payers whose names appear in the following list, that after thirty days publication from this day, application shall be made to the District Court, in which said bill of tax shall have been filed, for judgment on the same, as follows, to-wit:

From A to D inclusively, Second District Court.

From E to J inclusively, Third District Court.

From K to N inclusively, Fourth District Court.

From O to R inclusively, Fifth District Court.

From S to Z inclusively, Sixth District Court.

S. HOWELL, Treasurer.

A.

- 29 Aymar Wm H \$4925
32 Allan & Co 15
41 Andrews J 22 50
185 Anderson Wm 232 50
340 Albro J W 9
371 Allen E 6 75
389 Armstrong & Roy 249
Isabelle of Orleans rose to a point of order. Rees of Lafourche, in the chair, decided that Mr. Pratt had the floor pending the reading of the testimony.

B.

- 13 Bobet Bros 230 50
17 Bachefer F 4 50
26 Burk & Lawfly 67 50
40 Bronsena A 75
50 Battist H A 75
62 Beckman L 52 50
63 Broderick Miss 1 50
66 Brooks M C 100
67 Byrne T 120
68 Byrnes J 120
99 Byrne M 3 75
118 Breckman 82 50
120 Barrett Wm 270
126 Brown J 30
132 Baker J 9
149 Briggs & Stephenson 45
157 Brown Dr A 2 10
177 Brownson Heirs of 17
183 Bienville E G 37 50
189 Barnett M 15
210 Byrne G W 2 25
213 Breedlove A B 215
215 Bleeker J 37 50
220 Bibb W C 21 50
221 Benedict N B 15
229 Brooks J M 300
239 Bonfona P P 75
243 Bonfona P E 75
48 Adams & Fume 7 50
265 Brun C 7 50
274 Blackington Mrs 82 50
280 Brown E 39
285 Boessel S 15
355 Barry J 22 50
365 Bertrand J 52 50
367 Berthen J 52 50
377 Burthe V 30
386 Bon J 1125
394 Blank A 355 50
396 Baker A 37 50
398 Brown J J 150
407 Berry B 21
421 Baum S 30
422 Becht R A 12
424 Barne A 12
427 Bernat H 15
435 Barnett H 9
437 Baumann A 15
441 Hyrre J 18
446 Brugier L H 22 50
453 Bourdette J 113 50
453 Bonnell H 2 25
459 Blank P 1 50
462 Heals A B 7 50
473 Bader J W 30
480 Brady J 7 50
486 Brandes G 1 50
487 Brown A 1 50
494 Baptiste J 2 25
495 Barnett F 10 50
499 Brand G R 312
509 Brand J 12
514 Bringer St C 120
517 Brandenburg W D 20
520 Hein J S 12
523 Beck M 2 25
527 Bernard K 2 25
533 Benedict J 80 50
537 Bailey W 62
541 Brevard J W 150
544 Breedlove J W 45
555 Bradley R 7 50
566 Barthels F W 12
567 Bell S H 45
569 Bouman A 4 50
570 Broderick R 7 50
573 Benjamin R Y 7 50
581 Barrell Est of J A 150
585 Barnett A 75
585 Bartinger Minors of J L 2 25
600 Burke E 618
618 Blum C 620
620 Bradbury C W 45
623 Berne G 9 50
629 Barthel F 90
636 Berge E 3
634 Bouliqny G 7 50
664 Brabazon J W 21
671 Bridge G L 139 50
689 Blood H 9
693 Bray W 9
708 Boyd B 2 25
710 Bridge C 62
711 Bonabel Widow H 2835
712 Bonabel Est of H 1273 50
720 Baker B 12
733 Burns R 3
747 Barrett S 747
751 Barker Wm 25 50
756 Brown S H 15 50
766 Bread C 22 50
768 Broun J 75
768 Bodley S B 150
768 Boseworth & Brown 180
773 Brown G 4 50
778 Boyle Est of P 10 50
783 Branson J 30
784 Beale J 4 50
792 Brown J W 4 50
797 Bark B 7 50
798 Bark D 22 50
801 Boty P M 15
806 Breon H 10 50
816 Barbat J B 22 50
819 Brown R A 45
821 Brow C D 45
824 Beckley & Co 150
829 Bloom L 172 50
832 Baringer J L 1036 50
834 Burk P 150
835 Brehag, Little & Co 495
860 Bleasley E 4 50
866 Bowen & Co 127 50
868 Brown Wm 2 50
868 Breen & O'Donnell 15
870 Bunk P 7 50
876 Breen & Carroll 7 50
880 Barton C 75
881 Baquie J P 45
885 Black & Son 15 50
889 Buckell & Co 88
890 Brown Finnegan 45
891 Rollé De Mrs 135
898 Brown J 15
899 Brown J 15
906 Berry & Renaud 49 12
925 Braden D 2 50
937 Barret A 2 50
941 Bohne Wm 75
944 Barrows R C 2 25
949 Bono L 7 50
957 Benson & Helms 270
960 Batsch P 37 50
965 Burns Ann 13 50
973 Barnes D F 37 50
987 Barton P 165
1000 Bernstein P 155
1001 Bernhardt J M 105
1005 Boney M 75
1007 Bellan J P 22 50
1009 Bernheim C 7 50
1010 Bernhamer J 7 50
1011 Bell & Co 150
1034 Bastian M 75
1036 Bauleter C 89
1048 Baxton & Wilson 25
1049 Baxton A 25
1052 Barre J B 25
1063 Bengert S C 50
1067 Bengert M 52 50

- 1079 Bally H 84 50
1082 Boehring Wm 61 75
1089 Bell J P 67 50
1106 Brugneres C 7 50
1101 Burke C 2 25
1104 Barnes R 22 50
1112 Brahmy T 22 50
1120 Beck M J 12
1123 Beach H 6
1148 Baer E D 22 50
1152 Bridges J 15
1158 Barry C 2 25
1169 Barnes & Billing 375
1177 Babcock & Co 150
1184 Bidwell, Payne & Co 150
1200 Buck & Co 99
1206 Berry & Shields 27
1210 Barnett & Shepard 750
1212 Burk, Clark & Trepanier 45
1216 Bloomfield & Steel 99
1218 Burke & Co 750
1220 Boyd J C 22 50
1222 Bolling T 1050
1224 Botté P E & C P 1050
1226 Brown G E 30
1227 Barbolin L 15
1225 Brice J 39
1237 Brangan G W 22 50
1238 Beebe L 2 60
1247 By D D 22 50
1250 Buckner J B 97 50
1251 Burnett R 22 50
1252 Beckwith J R 7 50
1256 Burwell J 97 50
1258 Bessy P 75
1259 Branch, Brooks & Co 18 95
1274 Bowman & Bros 15
1283 Hoyt, Coleman & Graham 1200
1286 Bower & Garner 150
1287 Bradley, Wilson & Co 37 50
1290 Bodley & Co T.E. 300
1293 Brown & Co 300
1290 Belier, Allen & Co 150
1290 Boiner A 207
1301 Brady M P 7 50
1306 Bartlett H S 30
1313 Blair J D 267
1320 Brooks, McDonald & Co 1125
1319 Bernard & Gilbert 30
1322 Butt, Flash & Lyon 300
1329 Barange J 33
1330 Black E 30
1331 Brown N 69
1332 Bark D 30
1337 Boehm A 120
1340 Barnichan J M 120
1342 Reades, Wingo & Co 272 75
1343 Breton & Moore 69
1349 Bauer D D 45
1351 Berger J 37 50
1354 Baeth S 375
1362 Barker J 953
1363 Barker J 953
1370 Bleakley J J 60
1373 Black D 150
1374 Baker P 4 50
1375 Berghes J 1 50
1384 Binardal E 50
1380 Bass V A 60
1388 Bernard J 3
1390 Bays Wm 210
1391 Bond J 15
1408 Bonnan A 15
1409 Berenger J 3
1413 Barthele 5 62
1418 Barrie D 1 50
1420 Brown H 1 50
1440 Benit J 33
1459 Herrigan J 12
1491 Brandt F 37
1492 Burk J H 75
1512 Britton A 63
1521 Butler J & Co 600
1524 Bussey & Stevens 315
1526 Blake & Co 162
1530 Bradshaw C H 56 25
1538 Barnes, Ward & Co 150
1540 Borno & Bros 52 50
1541 Brown J & Co 225
1544 Black & Britton 225
1546 Behan W J 30
1554 Brown G 60
1574 Heer S 302
1582 Browning F F W 22 50
1584 Broussard J L 45
1588 Belknap J L 12
1592 Broun & Co 118 25
1596 Bernal J G 115
1597 Baker E 45
1599 Borno D 45
1602 Boneval & Dolhonde 90
1603 Bendaemont J 12
1609 Becker J B 120
1611 Byrne J 2250
1615 Bankhead J 300
1622 Blackhead & Miller 37 50
1625 Bastien C 300
1629 Blacklock & Co 300
1631 Blackman J W 7 50
1637 Bartels H 22 50
1638 Bonilgy L 15
1640 Bonham & Dexter 22 50
1649 Bran & Wilkerson 94 50
1653 Byrne, Vance & Co 150
1655 Briabi J C 45
1656 Breiland P 150
1657 Breiland P 150
1658 Beard & Choppin 96 37
1663 Bostell G 8 25
1664 Boush W H 8
1682 Bonham R H 52 50
1687 Brokelaek Dr 30
1688 Brady M D 120
1692 Back J M 120
1696 Buel P 3
1701 Brady C 1 50
1703 Brand M 1 50
1706 Backer F 37 50
1710 Boush G 37 50
1716 Brown Ada 37 50
1718 Bayle C 15
1727 Beauvalet C 3
1743 Barrilly P 15
1759 Brawley J 28 50
1730 Bastian C W 18
43 Barrar J 3
40 Bennett M 3
54 Byrnes S 25 50
55 Bruno H 97 50
62 Benson Alex 93
65 Brown T 75
66 Brown Mrs 45 50
71 Bonzano H 7 50
79 Burns Fadier C 15
80 Bevin J 15
81 Beebe C 262 50
82 Bergman C 10 50
84 Beck P 3
84 Beck P 3
86 Boehm F P 15
89 Bayersdofen J 15
1805 Banister C 15
1809 Buckley B 30
1816 Barlett H 15
1818 Brackman W 9
19 Bennett J 9
20 Bono J W 15
22 Bares H 12
23 Borel P 12
77 Bergin E A 3
78 Brophy J 7 50
80 Burson C 6
1801 Bousigneur F 3
81 Borel P 3
82 Barron L 4 50
17 Burke A M J 10
21 Bories J 30
22 Borel H 22 50
32 Bords J 39
40 Burtis J 35 25
60 Boute O 4 50
65 Brice J 4 50
68 Bollaun J 30
82 Bernard M 210
93 Beltrac H 22 50
98 Borne W J 82
2011 Humeskronas J 60
12 Hornafon J M 60 25
29 Brugere J 29
24 Hum D & S Stern & Co 225
27 Boudet & Gueyda 75
39 Binaand & Galtet 25
48 Bonvet J 27
48 Burhum J 90
63 Barnett H & A 45
64 Borel H C 55
68 Boye C 155
71 Borda Dr 52 50
77 Boster C 45
85 D Bunn Frank 36
86 Bernard P E 15
87 Boudouquie P C 75
91 Bawer V 465
99 Bank of Louisiana 37 50
2108 Biles Marin 15
10 Brunswick & Bro J M 60
15 Baudet H 60
17 Barnett & Bousquet 6
21 Bro E 6
30 Bernard L 82 50
32 Bibe Mrs J H 4 50
34 Bonabel Mrs Julia 22 50
2135 Belemar C F 30
35 Borel P 30
50 Bouvain F 49 50
52 Bent Mrs Jules 49 50
59 Baite Mrs C 7 50
60 Brocks Mrs W 4 50
60 Brulling Mrs J 4 50
71 Bianchet P F P 150
76 Blackmar A 330
2184 Bantback Est 3
55 Berthelot E Q 52 50

- 2301 Beauveux Est Chas F 1135
6 Bienville Chas 60
12 Baud J P 60
19 Broughman Mrs L 60
24 Bingham H M 90
27 Brickell Dr 15
37 Bonnet Dr P 135
43 Borne L 3
60 Brihood H 7 50
70 Brown Anna 15
75 Bayle J 15
84 Barry C 2 25
87 Bennett B 45
2309 Baudouin P 10 50
14 Brady widow 4 50
15 Barr H 90
24 Baurer P 15
25 Badd6 J 108
29 Blanton Jas 4 50
60 Brown Clara 22 50
70 Bayersdofen L 67 50
74 Broussard Y 120
86 Bellongé E & L E 7 50
2405 Bouquet Est Denis 6
6 Bourgeois L 27
10 Brunning H H 15
2417 Barre Chas 12
37 Burke G McD Mrs 38
50 Bell W O 4 50
54 Batts J 28 50
57 Bunker & Mrs 18
68 Barbon D est 19 50
76 Betsy P W 16 50
83 Bieth H 3
92 Brunan 45
97 Boudet L J 7 50
99 Blair Jas 25 50
2500 Boehm G J 75
04 Borzino H miss 75
04 Borzino H miss 150
20 Borestein P 15
24 Borsky J 13 50
27 Regen J 15
31 Brand, W 13 75
35 Bernetstein S 63 50
38 Bull & Murphy 15
44 Barraud H 3
47 Bousio Jas 13
54 Bormans Chas Mrs 4 50
55 Bussere Leontine 3
57 Bond H C 75
58 Byerly D C 39
67 Breckenor C 22 50
75 Brierley & Mrs 9
2601 Berthada B 9
2603 Bertin Chas 7 50
09 Buck Wm H Mrs 195
11 Bidault H 150
15 Bonnet H 3
26 Bonnavan J B 9
27 Barthe H 45
28 Bartholomy F 37 25
33 Bussiere & Mrs 37 25
43 Billard H Mrs 7 50
44 Beseo F Mrs 15
49 Bonveilan H 20
50 Bague L 20
61 Baud Chas 12
59 Bhangin C 7 50
63 Bous J 7 50
65 Bous J 7 50
73 Bieffonville Elise 165
75 Bierra L 120
81 Boudouquie A Mrs 30
91 Boreau G Mrs 3
98 Boreau S 7 50
72 Black Jas 13
25 Bregier Fred 9
42 Bresson J wid 9
43 Bize H 5 25
48 Biau Hy 105
68 Belmont D 60
83 Broussard M dr 15
273 Belet V 7 50
82 Buisard J 15
87 Blum R 7 50
83 Boudard D wid 45
2807 Barbart P wid 37 50
08 Bonilgy D 23
10 Bonagie de Lotang 27
11 Bonil Victor 19 50
09 Bouch G 15
26 Bonjean V A 18
31 Bourkestock F 4 50
32 Barba H 3
33 Broye M A 2 25
34 Barbat P 4 50
36 Boreau M 7 50
40 Bonnet J 9
48 Berta J 52 50
49 Barrell J P & Laviolotte P 6 75
70 Brachin F 57
74 Barje J 3
83 Bruner P 3
82 Bonabel J C 32 50
93 Bugras L H 32 50
2909 Boyer P 37 50
70 Benevolent Society Arts and F 30
of New Orleans 13
73 Borel L Mrs 45
80 Ben H 45
85 Bell Wm wid 22 50
99 Bawth A wid 15
99 Bawth A wid 15
2006 Bouth V 13 50
11 Boulas P & Fazende A miss 37 50
12 Brunean J 37 50
33 Brewster G E 7 50
36 Bell P P 2 25
38 Blaize J 22 50
68 Baudouin F Mrs 7 50
78 Baudouin F Mrs 37 50
79 Brunet S E 3 50
81 Biget J 150
3100 Boudard J 4 50
63 Barthe E miss 34 50
65 Biane J A 1 50
66 Biane J A 1 50
66 Biane J A 1 50
67 Borel rat 7 50