OFFICIAL:

JOURNAL

OF THE

CONSTITUTIONAL CONVENTION

OF

LOUISIANA.

THIRTY-FIRST DAY.

NEW ORLEANS, January 4, 1868.

The convention met pursuant to adjournment.

The president called it to order at [illegible] o'clock A. M.

The roll was called, and the following members answered to their names: President J. G. Taliaferro, Messrs. Antoine, [illegible]er, Barret, Belden, Bertonneau, Blackburn, Blandin, Bonseigneur, Bonnefoi, Burrel, Butler, Cooley, Crane, Crawford, Cromwell, Caney, Dearing, Demarest, Depasseau, P. G. Deslonde, J. Deslonde, Donato, Douglass, G. Duparte, U. Dupart, Duplessis, Esnard, François, Fuller, Ferguson, Gair, Guichard, Harper, Harris, Hempstead, Hiestand, Ingraham, R. H. Isabelle, Thomas Isabelle, Jackson, Jones, Kelso, Landers, Lange, Leroy, J. B. Lewis, R. Lewis, Luteling, Marie, Massicot, Meadows, McMillan, Morris, Moses, Murrel, Mushaway, Myers, Newsham, Oliver, Packard, Pierce, Pinchback, Poindexter, Pollard, Roman, Reese, Riard, Riggs, Rodriguez, Sauer, Scott, Snider, Steele, Thibaut, Tinchant, Twitchell, Underwood, Vandergriff, Vidal, Wickliffe, Williams, Wilson—82.

Prayer by the Rev. Josiah Fisk.

The minutes were read and adopted.

ORIGINAL RESOLUTIONS.

By Mr. Cooley, of Pointe Coupee:

Be it ordained by the Constitutional Convention of Louisiana, The sheriffs and tax collectors of the state, except of the city of New Orleans, Orleans right bank, and parish of Jefferson, shall give notice to the taxpayers of their respective parishes to pay the tax of one mill per cent levied by ordinance of the 24th of December, 1867, by this convention, and thirty days after service of said notice those who shall not have paid the tax due by them shall be considered in default, and the sheriffs and tax collectors shall exact an additional tax from such persons of twenty-five per cent upon the sum due by them for the first default, and an additional tax of ten per cent, to be computed on the original tax, for every subsequent thirty days said persons shall continue to be in default, up to the date of the final settlement.

Be it further ordained, The sheriffs and collectors of the city of New Orleans, Orleans right bank and, parish of Jefferson, shall, by public notice in one newspaper, published in their parish, call upon all taxpayers to pay the tax levied by the ordinance of the 24th December, above mentioned; and all persons who shall not have paid the amounts due by them on account of said tax, ten days after the publication of the above required notice, shall pay an additional tax of twenty-five per cent on the original tax, and an additional tax of two and a half per cent on the original tax of one mill per cent for every subsequent ten days said persons shall continue to be in default.

Be it further ordained, Immediately after the taxpayers shall have been put in default by the expiration of thirty or ten days, as the case may be, given in the notice required by the first and second sections of this ordinance, the sheriffs and tax collectors throughout the state shall proceed to seize and sell, after ten days notice, property of the delinquent taxpayers, movable or immovable, sufficient to pay the original tax, all additional taxes herein levied, and costs.

Mr. Cooley moved to suspend the rules to put the ordinance on its final passage.

Adopted.

The ordinance was read a second time, and on motion of Mr. Cooley, was adopted unanimously.

By Mr. Crawford, of Caldwell:

Resolved, That the committee on contingent expenses be and they are hereby directed to report to this convention a specific and detailed account of all the expenses incurred by them for the contingent expenses of the convention, setting forth a specific bill of items showing the quantity and price of each and every article purchased by them, and from whom purchased.

Lies over.

By Mr. Poindexter:

Resolved, That no member shall be allowed to speak more than ten minutes upon any subject, except by leave of two-thirds of the members present.

Mr. Lewis moved to suspend the rules to put it on its final passage.

Adopted.

Mr. Belden moved to amend by inserting "twenty minutes" instead of "ten."

The amendment was accepted.

The question was put upon the adoption of the resolution as amended, and it was adopted.

By Mr. J. H. Landers:

Resolved, That the Mississippi Agricultural, Educational, and Manufacturing Aid society is hereby legalized in the state of Louisiana with all the powers and franchises granted them by their charter. And that said society is hereby granted special privileges, and is authorized to begin and carry on their business in this state until the meeting of the first legislature assembled under the constitution that may be adopted by this convention; and that it shall be the duty of the legislature to enact such laws as shall enable said society to carry out the objects of the association, and protect the interests of all the citizens of Louisiana.

Lies over.

By Mr. F. Marie, of Terrebonne:

WHEREAS, It is proper and just to equalize taxes so as to bear equitably on every kind of industry and trade; and

Whereas, New crops are not adequately taxed under the existing system, the tax not being proportioned to their amount of incorporate business; therefore be it

Resolved, That it shall be the duty of the first legislature convened in this state after the adoption of this constitution, to pass a law to the effect that a tax of no less than five cents and no more than ten cents per square of ten lines agate, or its equivalent, shall be levied on those parts of any newspaper devoted to the publication of advertisements, cards, or notices whatever, in each and every issue of the same, excepting, however, advertisements and notices furnished by the various departments of the federal, state, parish, and city governments and public officers.

Resolved, That the publishers of every newspaper in the state shall furnish to the assessor of the district in which it is published a copy of every issue, and that it shall be the duty of said assessor to keep an account of the space devoted to advertisements, notices, and cards in said newspapers, and to send said account every two weeks to the proper collector for collection.

Referred to the committee on general provisions.

By Mr. McMillan, of Carroll:

WHEREAS, The business of the convention is materially embarrassed by persons not members thereof being admitted within the bar, and abusing the courtesy shown them by moving about from seat to seat conversing with members upon political subjects; therefore, be it

Resolved, That all persons admitted within the bar upon the special invitation of a member of the convention, will be required to sit with the member giving the invitation, and observe the rules of decorum adopted for the government of the convention.

Resolved, That only such persons as may be invited from day to day by members of the convention shall be admitted within the bar.

Mr. McMillan moved to suspend the rules to put the resolution on its final passage.

The rules were suspended.

Mr. Belden, of Orleans, moved to amend by striking out the words "political subjects."

The amendment was accepted.

Mr. Harper moved to amend by striking out all after the word "resolved," and inserting:

That no person not a member, officer, or employe be admitted within the bar without a vote of the majority of the members of the convention.

Mr. Bertonneau moved to lay the amendment on the table.

Adopted.

And on motion of Mr. McMillan the resolution as amended and reading as follows:

WHEREAS, The business of the convention is materially embarrassed by persons not members thereof being admitted within the bar, and abusing the courtesy shown them by moving about from seat to seat conversing with members; therefore be it

Resolved, That all persons admitted within the bar upon the special invitation of a member of the convention will be required to sit with the member giving the invitation, and observe the rules of decorum adopted for the government of the convention.

Resolved, That only such persons as may be invited from day to day by members of the convention shall be admitted within the bar.

Was adopted.

REPORTS OF STANDING COMMITTEES.

Committee on contingent expenses—No report.

Committee on finance—Progress.

The committee on enrollment submitted the following report:

ROOM OF COMMITTEE ON ENROLLMENT, New Orleans, La., Jan. 3, 1868.

To the President and Members of the Constitutional Convention:

Your committee on enrollment would respectfully report that they have this day caused to be enrolled the ordinance of Mr. Pinchback, of Orleans, in reference to the payment of members of this convention in preference to the official printer and others, and caused the same to be transmitted to the secretary of state, and to the treasurer and auditor of state respectively.

J. B. VADERGRIFF,
Chairman Committee on Enrollment.

Mr. Cooley moved to recommit the report of the committee on contingent expenses to the committee, with instructions to make a more detailed report.

Adopted.

UNFINISHED BUSINESS.

The reports of the committee on draft of the constitution being in order, Mr. Crane moved to adopt the following article:

To prevent and punish official and professional extortion, wrong, and injustice upon the interests, rights, liberties, and welfare of the uneducated, unsuspecting, unofficial, and unprofessional masses of the people, the legislature of this state may pass laws to regulate said labor, and in the aforesaid class of cases fix the fees, prices, and compensation, unless the party or parties establish a special and legal contract, or in the absence thereof.

Mr. Crawford raised the point of order that the resolution, not being german to the articles now under consideration, should lie over. And the chair so ruled.

Mr. Tinchant appealed from the decision of the chair, and the question on the appeal being put to the convention, the chair was sustained.

Mr. Crane moved to print one hundred copies of the article.

Mr. Tinchant moved to lay the motion to print on the table.

Adopted.

Mr. Reagan moved to substitute for article twelve of the majority report the following, to be article fourteen of the constitution:

All rights not enumerated in this title, and not in conflict with its meaning and design, shall in no wise be infringed or abridged.

Mr. Ingraham moved to adopt article twenty of the minority report as article fourteen of the constitution.

Mr. McMillan raised the point of order that the article offered by Mr. Ingraham was a substitute to a substitute, and not in order.

And the chair so ruled.

Mr. Pinchback was called to the chair.

Mr. Burrel moved to lay the substitute of Mr. Reagan on the table.

Adopted.

Mr. Bertonneau moved to adopt article twelve of the majority report as article fourteen of the constitution, and the article reading as follows:

ART. 14. The rights enumerated in this title shall not be construed to limit or abridge other rights of the people not herein expressed.

Was adopted as article fourteen of the constitution.

Mr. Packard moved to adopt article thirteen of the majority report as article fifteen of the constitution.

Mr. Ingraham moved to substitute article twenty-three of the minority report in place of article thirteen of the majority report to be article fifteen of the constitution.

Mr. Waples moved to indefinitely postpone the substitute of Mr. Ingraham.

Adopted.

Mr. Crane moved to amend by striking out the word "representatives" and inserting the word "delegates."

Mr. Jones moved to lay the amendment on the table.

Adopted.

The question was put upon the adoption of article thirteen of the majority report as article fifteen of the constitution, and the article reading as follows:

ART. 15. The legislative power of the state shall be vested in two distinct branches. The one to be styled "the house of representatives," the other "the senate," and both "the general assembly of the state of Louisiana."

Was adopted.

Mr. Blandin moved to adopt article fourteen of the majority report as article sixteen of the constitution.

Mr. Crane moved to amend by substituting the words "one year" for the words "two years."

Mr. Underwood moved to lay the amendment on the table.

Adopted.

The question was put on the adoption of article fourteen of the majority report as article sixteen of the constitution. And the article, reading as follows:

ART. 16. The members of the house of representatives shall continue in office for two years from the day of the closing of the general elections.

Was adopted.

Mr. Blandin moved to adopt article fifteen of the majority report as article seventeen of the constitution.

Mr. Tinchant moved to amend by striking out the word "Monday" and inserting the words "Friday and Saturday," and striking out the word "one" and inserting the word "two."

Mr. Barret called for a division of the question.

The chair decided that the question was not susceptible of division.

And the amendment was adopted.

The question was put upon the adoption of the article as amended.

And it was lost.

Mr. Crawford moved to adopt articles 15, 16, 17, 18, and 19, of the majority report.

Mr. Rodriguez objected.

And the motion was withdrawn.

Mr. Ingraham moved to adopt article 15, of the majority report, as article 17 of the constitution.

And the article reading as follows:

ART. 17. Representatives shall be chosen on the first Monday in November, every two years, and the election shall be completed in one day. The general assembly shall meet annually on the first Monday in January, unless a different day be appointed by law, and their sessions shall be held at the seat of government.

Was adopted.

Mr. Packard moved to amend article 16, of the majority report, by striking out all after the word "representation," and to adopt it as so amended.

Mr. Underwood moved to substitute in its place article 27 of the minority report.

Mr. Underwood withdrew his substitute.

On motion, the amendments were laid on the table.

The question was stated by the chair to be upon the adoption of article 16, of the majority report, as article 18 of the constitution.

Mr. Underwood moved to substitute article 27 of the minority report.

Mr. Waples moved to amend the substitute by striking out the word "twenty-five" and inserting the word "thirty."

The previous question was ordered.

The yeas and nays were called with the following result—yeas 27, nays 46, as follows:

Yeas: Barrett, Bertonneau, Bonseigneur, Brown, Butler, Cooley, Crane, Crawford, Demarest, Depasseau, G. Duparte, Duplessis, Esnard, Gardiner, T. Isabelle, R. H. Isabelle, Jackson, Lynch, Moses, Mushaway, Poindexter, Riggs, Rodriguez, Schwab, Waples, Williams, Wilson—27 yeas.

Nays: Antoine, Belden, Blandin, Bonnefoi, Burrel, Cromwell, Dearing, P. G. Deslonde, Donato, U. Dupart, François, Fuller, Ferguson, Gair, Harper, Harris, Hempstead, Hiestand, Ingraham, Jones, Kelso, Landers, Lange, Leroy, J. B. Lewis, R. Lewis, McLeran, McMillan, Morris, Oliver, Packard, Pierce, Pinchback, Reagan, Reese, Riard, Roberts, Snider, Smith, Scott, Tinchant, Underwood, Vandergriff, Vidal, Wickliffe—46 nays.

And the amendment was lost.

The question recurring upon Mr. Underwood's motion to amend by substituting article twenty-seven of the majority report for article sixteen of the minority report.

The yeas and nays were called with the following result—yeas 48, nays 27—as follows:

Yeas: Antoine, Belden, Blandin, Bonnefoi, Burrel, Cromwell, Dearing, P. G. Deslonde, Donato, Douglass, U. Dupart, François, Fuller, Ferguson, Gair, Gardiner, Harper, Harris, Hempstead, Hiestand, Ingraham, Jones, Kelso, Landers, Lange, Leroy, J. B. Lewis, R. Lewis, Massicot, McLeran, Morris, Murrell, Newsham, Oliver, Packard, Pierce, Pinchback, Reagan, Reese, Riard, Roberts, Scott, Schwab, Tinchant, Underwood, Vandergriff, Vidal, Wickliffe—48 yeas.

Nays: Barret, Bertonneau, Bonseigneur, Brown, Cooley, Crane, Crawford, Demarest, Depasseau, Duparte, Duplessis, Esnard, R. H. Isabelle, Thomas Isabelle, Jackson, Lynch, McMillan, Moses, Mushaway, Poindexter, Riggs, Rodriguez, Smith, Snider, Waples, Williams, Wilson—27 nays.

And the amendment was adopted.

The question was then put upon the adoption of the original article, as amended, as article eighteen of the constitution, and the article as amended, and reading as follows:

ART. 18. Every elector under this constitution shall be eligible to a seat in the house of representatives; and every elector who has reached the age of twenty-five years shall be eligible to the senate; Provided, That no person shall be a representative or senator unless at the time of his election he be a qualified elector of the representative or senatorial district from which he is elected.

Was adopted.

The committee on finance submitted the following report:

To the President and Members of the Constitutional Convention of the State of Louisiana:

GENTLEMEN—In pursuance of the resolution adopted on the 24th instant, authorizing your committee on finance to negotiate a loan to defray the expenses of this convention, your committee respectfully report that they have been unsuccessful in negotiating a loan.

Your committee, while endeavoring to negotiate a loan, received encouragement to such an extent that they have delayed their final report until this time.

Your committee respectfully request to be relieved from further duty in negotiating a loan.

H. W. FULLER,
Chairman;
JOHN S. HARRIS.
W. L. McMILLAN.

On motion of Mr. Wickliffe, the report was received and the committee discharged.

On motion of Mr. Crawford, the convention adjourned till Monday at 11 A. M.

A true copy:

WILLIAM VIGERS,
Secretary.

THIRTY-SECOND DAY.

NEW ORLEANS, January 6, 1868.

The convention met pursuant to adjournment.

The president called the convention to order at 11 A. M.

The roll was called, and the following members answered to their names:

J. G. Taliaferro, President; Messrs. Antoine, Baker, Belden, Bertonneau, Bonseigneur, Bonnefoi, Brown, Butler, Crane, Cromwell, Caney, Dearing, Depasseau, Deslonde, Joseph Deslonde, Douglass, Dupart, G. Duparte, Duplessis, Esnard, François, Ferguson, Gair, Gardiner, Guichard, Harris, Hempstead, Hiestand, Isabelle, Thomas Isabelle, Jones, Kelso, Landers, Lange, Leroy, J. B. Lewis, R. Lewis, Lynch, Marie, Martin, Massicot, Meadows, McLeran, Morris, Moses, Murrel, Myers, Newsham, Oliver, Packard, Pierce, Pinchback, Poindexter, Reagan, Reese, Riard, Riggs, Rodriguez, Schwab, Sauer, Scott, Snider, Steele, Thibaut, Tinchant, Twitchell, Underwood, Valfroit, Vandergriff, Waples, Wickliffe, Williams, and Wilson—73 members present.

Prayer by Rev. Josiah Fiske.

The minutes were read.

Mr. Packard asked for a correction in the minutes, and the minutes as amended were adopted.

ORIGINAL RESOLUTIONS.

Mr. Waples moved that any delegate assigning reasons for his vote, shall do so in writing; and he may have them entered upon the journal, provided they do not cover more than half a page of foolscap.

Mr. Packard moved to lay the motion on the table.

Lost.

And the motion of Mr. Waples was adopted.

By Mr. Blackburn:

An ordinance relative to warrants issued by this convention to defray the expenses thereof:

SECTION 1. Be it ordained, That all warrants issued for defraying the expenses of this convention shall bear eight per cent interest per annum from date of the convening of this convention until paid for or received by the state treasurer for state dues; and said warrants shall be received by all sheriffs and state tax collectors in payment for all dues to the state for taxes and licenses; and the state treasurer shall receive them from said sheriffs and state tax collectors, as well as for the sale of public lands.

SEC. 2. Be it further ordained, That the state treasurer be and is hereby prohibited from receiving for state dues, taxes, or licenses, and warrants, others than those issued by this convention.

SEC. 3. Be it further ordained, That the state auditor be and he is hereby directed to notify all sheriffs and tax collectors of the passage of this ordinance, and direct their compliance therewith.

Mr. Bonseigneur moved to suspend the rules to put the resolution upon its passage.

Adopted.

Mr. Crane moved to amend by inserting "municipal and city authorities."

Mr. Bertonneau moved to lay the resolution on the table.

Lost.

Mr. Cooley moved to amend by substituting the following:

The sheriffs and tax collectors throughout the state shall pay in the state treasury, in the currency actually received by them, all sums collected by them under the tax ordinance passed by this convention on the 24th December, 1867, and in all cases when they offer the warrants issued by authority of this convention in payment of taxes collected by the them, it shall be the duty of the auditor of public accounts to require from said sheriffs and tax collectors evidence that the said warrants were honestly received by them in payment of taxes levied by this convention: Provided, The oath of the sheriffs and tax collectors shall be received to prove the fact.

Mr. Waples moved to refer the ordinance and substitute to a committee of two, composed of Messrs. Cooley and Blackburn, with instructions to report to-morrow.

Mr. Jones called for the previous question, which was ordered.

The question was stated by the chair to be upon Mr. Waples' motion to refer to a special committee of two, consisting of Messrs. Cooley and Blackburn, the original resolution and the substitute.

And the motion was adopted.

Mr. Hempstead moved to add the president to the committee just named.

Adopted.

Mr. Moses moved that the convention do hereafter change the hour of meeting from eleven to ten o'clock, for the purpose of expediting the business of the convention.

Laid on the table.

By Mr. G. W. Reagan:

Petition to congress for the relief of loyal sufferers during the rebellion:

WHEREAS, During the late war of the rebellion many good and loyal persons in this state, by orders of officers acting under proper authority, have sustained great losses in the destruction of property, by burning and otherwise; and

Whereas, No provisions have yet been made for the relief of those suffering in consequence of the above orders; therefore, be it

Resolved, That we, the people of Louisiana, in convention assembled, do most respectfully and earnestly petition the congress of the United States to immediately take the subject into consideration and adopt such measures as in its wisdom may be deemed necessary and adequate to meet the authenicated claims of those whose losses were produced by causes above named.

Resolved, That a copy of this petition, signed by the president and secretary of this convention, be forwarded to Hon. Schuyler Colfax, speaker of the house of representatives of the United States.

Mr. Moses moved to lay on the table.

Adopted.

By Mr. Wickliffe:

ART.—Sec. 1. There shall be appointed by the governor, every two years, by and with the advice and consent of the senate, a board of health for the parishes of Orleans and Jefferson, consisting of seven members, whose qualifications and salaries shall be as provided by law.

SEC. 2. The said board of health shall have power to regulate in said parishes, in conformity with such laws as may be passed by the legislature, the matters of quarantine, drainage, the removal and deposit of offal and filth, the location of stock yards, slaughter houses, and nuisance wharves, and in short, have general supervision of all matters that affect or pertain to the public health in said parishes; Provided, That no slaughter houses or stock yards shall be allowed within the corporate limits of a city or town within said parishes, and that no nuisance wharves or dumping grounds shall be allowed in said parishes above or within one-half mile below the present, or any other waterworks that may be constructed, so long as the cities of New Orleans and Jefferson are supplied with water from the Mississippi river; and provided further, That all slaughter houses and stock yards shall be located below the corporate limits of the city of New Orleans.

SEC. 3. No municipal corporation shall pass any ordinance conflicting this article, or upon the subject matter thereof.

Lies over.

By Mr. Wickliffe, of Orleans:

ART. —. The legislature shall pass no laws, nor shall any parochial or municipal corporation pass any ordinance discriminating by taxation or license between citizens residents, and non-residents.

Lies over.

Mr. Hempstead moved to lay the resolution on the table.

The chair decided the motion out of order.

Mr. Tinchant moved to reconsider the vote adopting article fourteen of the constitution.

Mr. Crane moved to lay the motion to reconsider on the table.

Adopted.

REPORTS OF STANDING COMMITTEES.

Committee on contingent expenses—Progress.

Committee on printing—No report.

Committee on enrollment submitted the following report:

ROOM COMMITTEE OF ENROLLMENT, New Orleans, La., January 7, 1868.

To the President and Members of the Constitutional Convention of the State of Louisiana:

The committee on enrollment would respectfully report that they have caused to be enrolled the ordinance of Mr. Cooley in relation to the enforcement of the tax ordinance, and have sent one of each to the secretary of state and treasurer and auditor, respectively.

Very respectfully,
JOHN B. VANDERGRIFF,
Chairman Committee on Enrollment.

Which was received.

UNFINISHED BUSINESS.

The reports of the committee on draft of the constitution being in order,

Mr. Oliver moved to adopt article seventeen of the majority report as article nineteen of the constitution.

And the article, reading as follows:

ART. 19. Elections for members of the general assembly shall be held at the several election precincts established by law.

Was adopted.

Mr. Cooley moved to adopt article eighteen of the majority report as article twenty of the constitution.

Mr. Barrett moved to amend by inserting after the seventh line the words "a census of the inhabitants."

Which was adopted.

Mr. Cooley moved to amend by striking out the word "legislature," and inserting "general assembly."

Which was adopted.

Mr. Lynch moved to amend by substituting as follows:

ART. 20. Representation in the house of representatives shall be equal and uniform, and after the first legislature elected under this convention shall be ascertained and regulated by the whole number of population, each parish in the state being entitled to at least one representative. A census of the state by state authorities shall be taken in 1875, and every five years thereafter. In cases of informality, omission, or error in the census returns from any district, the general assembly shall order a new census taken in such parish or election district.

Mr. Harper moved to amend by striking out the word "parish," and inserting the word "county."

Mr. Isabelle moved to lay the amendment of Mr. Harper on the table.

Adopted.

Mr. Waples moved to amend the substitute by striking out the word "shall," and inserting the word "may," which was accepted by the mover.

Mr. Belden moved to amend by striking out the figures "1875," and inserting the figures "1870," and by striking out the word "five," and inserting the word "ten."

Which was accepted.

Mr. Cooley moved to amend by striking out the figures "1870," and inserting the figures "1875."

Mr. Bonseigneur moved to lay the amendment of Mr. Cooley on the table.

Adopted.

The question was put to the convention upon the adoption of the substitute of Mr. Lynch, as amended, as article twenty of the constitution.

And the article, reading as follows:

ART. 20. Representation in the house of representatives shall be equal and uniform, and after the first general assembly elected under this convention, shall be ascertained and regulated by the whole number of population, each parish in the state being entitled to at least one representative. A census of the state by state authorities shall be taken in 1870, and every ten years thereafter. In case of informality, omission, or error in the census returns from any district, the general assembly may order a new census taken in such parish or election district.

Was adopted.

Mr. Wickliffe moved to adopt article nineteen of the majority report as article twenty-one of the constitution.

Mr. Cooley moved to amend by striking out the word "legislature," and inserting the words "general assembly," and by striking out the words "qualified electors," and inserting the words "total population."

The amendment was accepted by the mover.

The question was put to the convention upon the adoption of article nineteen, majority report, as article twenty-one of the constitution, and the article reading as follows:

ART. 21. The general assembly, at the first session after the making of each enumeration, shall apportion the representation among the several parishes and representative districts, on the basis of the total population as aforesaid. A representative number shall be fixed, and each parish and representative district shall have as many representatives as the number of its total population will entitle it to have, and an additional representative for any fraction exceeding one-half of the representative number. The number of representatives shall never exceed one hundred and twenty, nor be less than ninety.

Was adopted.

Mr. Cooley moved to recommit article twenty of the majority report to the committee on the legislative department, with instructions to report a new apportionment in accordance with the principle of representation now adopted.

Mr. Bertonneau moved to lay the motion to recommit on the table.

Adopted.

Mr. Hempstead moved to adopt article twenty of the majority report as article twenty-two of the constitution.

Various amendments were here offered by different members in regard to the ratio of representation of their several districts.

Mr. Twitchell moved to lay all the amendments on the table.

Adopted.

Mr. Jones moved to amend by substituting article twelve of the constitution of 1864 as article twenty-two of the constitution.

Mr. Bertonneau moved to lay the substitute on the table.

Mr. Hempstead moved to adopt article twenty of the majority report as article twenty-two of the constitution.

Mr. Blandin moved to amend by substituting article thirty-one of the majority report.

Mr. Hempstead raised the point of order that the motion to substitute being offered while he was on the floor was not in order.

The chair decided that Mr. Blandin had the floor, and that the substitute was in order.

Mr. Cooley appealed from the decision of the chair.

The question on the appeal being put to the convention, the chair was sustained.

The question was put upon the adoption of article thirty-one of the minority report as article twenty-two of the constitution.

And the article, reading as follows:

ART. 22. All an apportionment shall be made, and elections held under the same, in accordance with the first enumeration to be made as directed in article twenty, the representation in the senate and house of representatives shall be as follows:

For the parish of Orleans, and to be elected, as follows:

First representative district	2
Second " "	3
Third " "	4
Fourth " "	2
Fifth " "	2
Sixth " "	1
Seventh " "	2
Eighth " "	2
Ninth " "	3
Tenth " "	1
Eleventh " "	2
Ascension	2
Assumption	2
Avoyelles	3
Baton Rouge, East	1
Baton Rouge, West	1
Bienville	2
Bossier	3
Caddo	1
Calcasieu	1
Caldwell	2
Carroll	2
Catahoula	2
Claiborne	2
Concordia	2
DeSoto	2
Feliciana, East	1
Feliciana, West	1
Franklin	1
Iberville	2
Jackson	1
Jefferson	4
Lafayette	1
Lafourche	2
Livingston	1
Madison	1
Moorehouse	1
Natchitoches	2
Ouachita	2
Plaquemine	1
Pointe Coupee	1
Rapides	3
Sabine	1
St. Bernard	1
St. Charles	1
St. Helena	1
St. James	2
St. John Baptist	1
St. Landry	4
St. Martin	2
St. Mary	2
St. Tammany	1
Tensas	2
Terrebonne	2
Union	1
Vermillion	1
Washington	1
Winn	1
Total	101

And the state shall be divided into the following senatorial districts, to-wit:

The first, second, and third representative districts of New Orleans shall form one senatorial district, and elect three senators.

The fourth, fifth, and sixth representative districts of New Orleans shall form one district, and elect two senators.

The seventh, eighth, and ninth representative districts of New Orleans and the parish of St. Bernard shall form one district, and elect two senators.

The tenth representative district of New Orleans shall form a district, and elect one senator.

Fifth district of New Orleans and the parish of Plaquemine shall form one district, and elect one senator.

The parishes of Jefferson, St. Charles, and St. John Baptist shall form one district, and elect two senators.

The parishes of Ascension and St. James shall form one district, and elect one senator.

The parishes of Assumption, Lafourche, and Terrebonne shall form one district, and elect two senators.

The parishes of Vermillion and St. Mary shall form one district, and elect one senator.

The parishes of Calcasieu, Lafayette, and St. Landry shall form one district, and elect two senators.

The parishes of Livingston, St. Helena, Washington, and St. Tammany shall form one district, and elect one senator.

The parishes of Pointe Coupee, East Feliciana, and West Feliciana shall form one district, and elect two senators.

The parish of East Baton Rouge shall form one district, and elect one senator.

The parishes of West Baton Rouge, Iberville, and St. Martin shall form one district and elect two senators.

The parishes of Concordia and Avoyelles shall form one district, and elect one senator.

The parishes of Tensas and Franklin shall form one district, and elect one senator.

The parishes of Carroll, Madison, and Morehouse shall form one district, and elect two senators.

The parishes of Ouachita and Caldwell shall form one district, and elect one senator.

The parishes of Jackson and Union shall form one district, and elect one senator.

The parishes of Bossier, Bienville, and Claiborne shall form one district, and elect two senators.

The parish of Caddo shall form one district, and elect one senator.

The parishes of DeSoto, Natchitoches, and Sabine shall form one district, and elect two senators.

The parish of Rapides shall form one district, and elect one senator.

The parishes of Catahoula and Winn shall form one district, and elect one senator.

Thirty six senators in all.

Was adopted.

On motion of Mr. Blandin the convention adjourned until to-morrow, at 11 o'clock.

A true copy:

WM. VIGERS,
Secretary.

U. S. MARSHAL'S MONITIONS

United States vs. One Still and Engine.

IN THE UNITED STATES DISTRICT COURT, for the District of Louisiana, No. 8074.—In obedience to a warrant, to me directed in the above entitled suit, I have seized and taken into my possession—

ONE STILL AND ENGINE, now libeled by the United States of America for the causes set forth in the libel now pending in the District Court of the United States.

And I do hereby cite and admonish the owner or owners thereof, and all and every person or persons having or pretending to have any right, title, or interest in or to the same, to be and appear at a District Court of the United States, for the District aforesaid, to be holden in the city of New Orleans, on or before the THIRD MONDAY from the date hereof, to show cause, if any they have or can, why the said one Still and Engine should not be condemned, and be sold agreeably to the prayer of said libel.

United States Marshal's Office, New Orleans, fourteenth day of January, 1868.

F. J. HERRON, U. S. Marshal.

No. 235—jan15 21 28 feb

George Westermeyer and Others, vs. the Bellboat Southerner, her Tackle, Apparel, etc.

IN THE UNITED STATES DISTRICT COURT, for the District of Louisiana, No. 8111.—In obedience to an admiralty warrant, to me directed in the above entitled suit, I have seized and taken into my possession—

The Bellboat SOUTHERNER, her Tackle, Apparel, etc., now libeled by George Westermeyer and others, for the causes set forth in the libel now pending in the District Court of the United States.

And I do hereby cite and admonish the owner or owners thereof, and all and every person or persons having or pretending to have any right, title, or interest in or to the same, to be and appear at a District Court of the United States, for the District aforesaid, to be holden in the city of New Orleans, or before the THIRD MONDAY from the date hereof, to show cause, if any they have or can, why the said Bellboat Southerner, her tackle, etc., should not be condemned and be sold agreeably to the prayer of libelants.

United States Marshal's Office, New Orleans, tenth day of January, 1868.

F. J. HERRON, U. S. Marshal.

No. 235—jan15 16 23 29

C. G. Pearce and Wm. Knight vs. Steamer Rose Franks, her Tackle, Apparel, etc.

IN THE UNITED STATES DISTRICT COURT, for the District of Louisiana, No. 8075.—In obedience to an admiralty warrant, to me directed in the above entitled suit, I have seized and taken into my possession—

The steamer ROSE FRANKS, her Tackle, Apparel, etc., now libeled by C. G. Pearce and Wm. Knight, for the causes set forth in the libel now pending in the District Court of the United States.

And I do hereby cite and admonish the owner or owners thereof, and all and every person or persons having or pretending to have any right, title, or interest in or to the same, to be and appear at a District Court of the United States, for the District aforesaid, to be holden in the city of New Orleans, on or before the THIRD MONDAY from the date hereof, to show cause, if any they have or can, why the said steamer should not be condemned and be sold agreeably to the prayer of libelants.

United States Marshal's Office, New Orleans, ninth day of January, 1868.

F. J. HERRON,
U. S. Marshal.

No. 235—jan11 19 25

Patrick Farmer vs. Steamboat Gen. Hamilton, her Tackle, Apparel, etc.

IN THE UNITED STATES DISTRICT COURT, for the District of Louisiana, No. 8076—In obedience to an admiralty warrant, to me directed in the above entitled suit, I have seized and taken into my possession—

The steamboat GREAT REPUBLIC, her Tackle, Apparel, and Furniture, etc., now libeled by Patrick Farmer, for the causes set forth in the libel now pending in the District Court of the United States.

And I do hereby cite and admonish the owner or owners thereof, and all and every person or persons having or pretending to have any right, title, or interest in or to the same, to be and appear at a District Court of the United States, for the District aforesaid, to be holden in the city of New Orleans, on or before the THIRD MONDAY from the date hereof, to show cause, if any they have or can, why the said steamboat Great Republic, her tackle, apparel, etc., should not be condemned, and be sold agreeably to the prayer of libelant.

United States Marshal's Office, New Orleans, eighteenth day of January, 1868.

F. J. HERRON, U. S. Marshal.

No. 235—jan21 26 31 13