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OFFICIAL:

JOURNAL OF THE CONSTITUTIONAL CONVENTION OF LOUISIANA.

FIFTY-FOURTH DAY

NEW ORLEANS, February 1, 1868.

The convention met pursuant to adjournment, and was called to order by Mr. Ingraham at 10½ o'clock A. M.

Mr. Crane was called to the chair.

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

Baker, Belden, Blackburn, Blandin, Bonnefol, Brown, Burrel, Butler, Cooley, Crane, Cromwell, Cuney, Dearing, Demarest, Depasseau, P. G. Deslonde, Donato, U. Dupart, Duplessis, François, Fuller, Ferguson, Gair, Gould, Guichard, Harper, Harris, Hempstead, Ingraham, R. H. Isabelle, Thos. Isabelle, Jones, Landers, Leroy, J. B. Lewis, R. Lewis, Marie, Martin, Massicot, Meadows, Moses, Murrel, Myers, Newsham, Oliver, Packard, Pierce, Poindexter, Pollard, Reagan, Reese, Riard, Riggs, Rodriguez, Schwab, Snaer, Scott, Snaer, Steele, Thibaut, Twitchell, Underwood, Valfroit, Vandergriff, Waples, Wickliffe, Williams, Wilson—67 members present.

Prayer by the Rev. Josiah Fiske.

The minutes were read and adopted.

ORIGINAL RESOLUTIONS.

Mr. R. H. Isabelle called up the following, lying over from January 4, 1868:

WHEREAS, The proprietors of the New Orleans *Picayune* have daily furnished this convention with morning and evening papers; and

Whereas, Some compensation to the proprietors of said journal toward the payment of its labors is due as an act of justice, and while this convention ignores the editorial sentiments of said journal, yet as a question of labor

Be it ordained by the constitutional convention of the state of Louisiana, That the sum of five hundred dollars be and is hereby appropriated to the credit of the proprietors of the said New Orleans *Picayune*, to be paid out of any funds raised or to be raised to pay the expenses of this convention.

Be it further ordained, That said proprietors shall receive warrants for the above mentioned five hundred dollars, signed in the same manner as those issued for the payment of delegates to this convention,

And moved to adopt.

Mr. Cromwell moved to lay on the table.

Lost.

Mr. Harper moved to amend by striking out all after the words "act of justice" to the word "labor," inclusive.

Adopted.

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

Resolved, That a donation of $500 be awarded by this convention to the New Orleans *Picayune* for the happy and candid manner in which it has abused and misrepresented the object and purpose of the loyal men of the state.

Laid on the table.

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

That the committee on printing be instructed to ascertain the cost price of the *Picayune* and *Commercial Bulletin*, furnished members of the convention, and whether or not a sufficient amount should be appropriated to reimburse the proprietors of these journals.

Mr. Pierce moved to lay the original resolution and the pending amendment on the table.

Adopted.

SPECIAL COMMITTEE.

The special committee appointed to investigate the payment by tax collectors of warrants into the treasury, through Mr. Hempstead, chairman, reported progress.

UNFINISHED BUSINESS.

Mr. Blandin moved to reconsider the vote upon the adoption of article 130.

The chair decided that as the motion to reconsider the same vote had been once made and rejected by the convention, the motion was not now in order.

Mr. Blandin moved to repeal article 130 of the constitution.

Mr. McMillan raised the point of order that the motion should not be entertained at this time for two reasons: First, for the reason that the consideration of the remainder of the reports of the committee or draft of the constitution should be completed before a motion to repeal any part that has been adopted would be in order; and second, that the hour for the order of the day having arrived, business under that head should take precedence of all other motions.

The chair decided that the point of order was not well taken.

Mr. McMillan appealed.

The chair was sustained.

Mr. Underwood moved to lay the motion to repeal on the table.

Adopted—yeas [illegible], nays [illegible]—as follows:

[illegible]

belle, Jones, Marie, Moses, Mushaway, Packard, Riggs, Roberts, Rodriguez, Smith, Steele, Waples, Wickliffe, Wilson—29 nays.

Mr. Tinchant moved to reconsider the vote upon the adoption of article 132 of the constitution.

Mr. Packard raised the point of order that the motion contravened rule thirty, and should not be entertained.

The chair decided that the point of order was not well taken.

Mr. Packard appealed.

The chair was sustained.

The motion to reconsider prevailed, yeas 54; nays 16, as follows:

Yeas: Baker, Barrett, Bertonneau, Blandin, Bonnefol, Burrel, Cooley, Crane, Crawford, Depasseau, P. G. Deslonde, J. Deslonde, Douglass, G. Duparte, U. Dupart, Duplessis, Esnard, François, Ferguson, Gair, Harris, Harrison, Hempstead, Thomas Isabelle, Kelso, Lange, Leroy, R. Lewis, Ludeling, Lynch, Marie, Martin, McMillan, Murrel, Mushaway, Myers, Newsham, Pierce, Pinchback, Poindexter, Pollard, Reagan, Reese, Riard, Roberts, Snaer, Scott, Snider, Steele, Thibaut, Tinchant, Valfroit, Vidal, Waples—54 yeas.

Nays: Blackburn, Cromwell, Gould, Guichard, Harper, Ingraham, R. H. Isabelle, Jones, Meadows, Moses, Packard, Rodriguez, Smith, Wickliffe, Williams, Wilson—16 nays.

Mr. Tinchant moved to reject the article.

Adopted.

Mr. McMillan moved to reconsider the vote just taken.

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

Adopted.

Mr. Waples moved to suspend the rules to enable him to offer the following as an article of the constitution:

ART. —. In all cases when the fees of the sheriff, recorder of mortgages, recorder of conveyances, clerk of any city court, or other parish officer, shall exceed ten thousand dollars ($10,000) per annum, besides paying the necessary office expenses, to be fixed by law, it shall be the duty of any such officer to pay the surplus into the treasury of the parish in which the office is held, for the purpose of supporting the paupers therein. The general assembly shall apportion the state charity fund, growing out of the poll tax or arising from other sources, (one-half at least of said tax being so appropriated,) among the several parishes, pro rata according to the number of paupers actually supported by each parish; and shall adopt such legislation as shall be necessary to carry this article into effect, and to prevent fraud on the part of such officers as may have a surplus above the sum mentioned.

The rules were suspended.

Mr Waples moved to adopt as article 132 of the constitution.

Pending its consideration, a quorum not being present, the convention adjourned till Monday at 10 o'clock A. M.

A true copy:

WILLIAM VIGERS, Secretary.

FIFTY-FIFTH DAY.

NEW ORLEANS, Monday, February 3, 1868.

The convention met pursuant to adjournment, and was called to order by the president at 10 o'clock A. M.

The following members answered to their names:

J. G. Taliaferro, president; Messrs. Baker, Blackburn, Blandin, Bonnefol, Brown, Burrel, Crane, Crawford, Cromwell, Cuney, Dearing, Depasseau, P. G. Deslonde, J. Deslonde, Donato, U. Dupart, Duplessis, Edwards, François, Fuller, Ferguson, Gair, Gould, Guichard, Harper, Harris, Ingraham, R. H. Isabelle, Thomas Isabelle, Jones, Kelso, Landers, Leroy, J. B. Lewis, Richard Lewis, Marie, Massicot, McLeran, Morris, Moses, Murrel, Mushaway, Myers, Oliver, Packard, Pierce, Poindexter, Pollard, Reagan, Riard, Riggs, Roberts, Rodriguez, Smith, Scott, Snider, Steele, Thibaut, Twitchell, Vandergriff, Waples, Wickliffe, Williams, Wilson—65 members present.

Prayer by the Rev. Josiah Fiske.

The minutes were read and approved.

ORIGINAL RESOLUTIONS.

By Mr. Reagan:

WHEREAS, Many of the members of this convention, by circumstances of necessity, have been compelled to make unreasonable and exorbitant discounts upon their warrants, which unjustly reduces their per diem below its legal allowance; and,

Whereas, It is deemed impossible for this convention to enable its members to avoid such sacrifices; therefore, be it

Resolved, That any member of this convention, the secretary and chief enrolling clerk, on presentation of evidence deemed competent by the convention, that they made such discounts as above, shall receive from the warrant clerk a warrant equivalent to such discounts: Provided, Such extra allowance shall not exceed two hundred dollars to each member or employe: Provided further, That no allowance shall be made on the discount of warrants after the first day of February, 1868.

Lies over.

By Mr. W. Brown:

Resolved, That the chairman of committee on contingent expenses be instructed to authorize the warrant clerk to issue warrants to B. Bloomfield & Co., to the amount of their bill for stationery, cost, etc., amounting to eighteen hundred and sixty-six dollars and forty-four cents.

Lies over till Thursday.

Mr. Ingraham moved that one assistant warrant clerk be appointed by the president.

Laid on the table.

Mr. Wickliffe moved that a committee of three be appointed by the chair to inquire into the subject of the payment of the *Picayune* newspaper, and that said committee be instructed to learn whether said paper was ordered by any officer of this convention, and what remuneration, if any, shall be allowed the proprietors of said paper.

Mr. Waples moved to amend by adding:

And if any officers shall be found by the committee to have ordered the paper, such officers shall be requested to pay the bill.

Laid on the table.

The motion of Mr. Wickliffe prevailed.

The chair appointed as the committee Messrs. Wickliffe, Moses, and Packard.

The committee on contingent expenses submitted the following report, which was received:

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

GENTLEMEN—The committee on contingent expenses, respectfully report that they have received the following bills for printing, viz:

New Orleans REPUBLICAN, from December 22 to the forty-sixth day…	$3,956 00
New Orleans *Tribune*, from the first day's session to the forty-sixth inclusive…	3,956 00
New Orleans *German Gazette*, for publication of official proceedings from the first day to the thirty-third, inclusive…	3,956 00
Iberville *Pioneer*, publication of proceedings, as per duplicates…	3,625 00
Homer *Iliad*, for publication of official proceedings, as per duplicates.	3,625 00
New Orleans *Advocate*, for publication of official proceedings, as per duplicates…	3,625 00
Louisiana *Intelligencer*, publication of official proceedings, as per duplicates…	3,625 00
Total…	$25,571 00

The above bills having been examined and approved by the committee on contingent expenses and printing, we recommend that warrants be issued for the same.

Very respectfully,

A. N. GOULD,

Chairman pro tem. of contingent expenses committee.

And the warrant clerk was ordered to issue warrants in payment of the bills referred to therein to the respective claimants.

A recess of one hour was taken. At its expiration the convention was called to order by the president. A quorum present.

Mr. Wickliffe moved to suspend the rules to take up the report of the special committee on contingent expenses.

Adopted.

Mr. Wickliffe moved to reconsider the vote postponing the resolution of Mr. Brown till Thursday.

Adopted.

Mr. McMillan moved to adopt the resolution, as reported by the committee.

Mr. Waples moved to amend the first resolution of the special committee by adding after the word "upon" the words "as to Bloomfield's bill, and twenty-five per cent as to Madden's bill."

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

Adopted—yeas 50, nays 17—as follows:

Yeas: Antoine, Baker, Belden, Blackburn, Blandin, Brown, Burrel, Butler, Demarest, Donato, Douglass, G. Duparte, U. Dupart, Duplessis, François, Gair, Harris, Hempstead, Ingraham, R. H. Isabelle, T. Isabelle, Jones, Kelso, Leroy, R. Lewis, Marie, Meadows, McLeran, Morris, Moses, Murrell, Myers, Newsham, Oliver, Packard, Pierce, Poindexter, Pollard, Reagan, Riggs, Rodriguez, Scott, Steele, Thibaut, Tinchant, Twitchell, Vidal, Wickliffe, Williams, Wilson—50 yeas.

Nays: Messrs. Bertonneau, Crane, Crawford, Dearing, Depasseau, Edwards, Esnard, Fuller, Gould, Harrison, Martin, Massicot, McMillan, Mushaway, Pinchback, Riard, Waples—17 nays.

Mr. Hempstead moved to lay the motion of Mr. McMillan on the table.

Adopted—yeas 45, nays 22—as follows:

Yeas: Messrs. Belden, Blackburn, Blandin, Brown, Butler, Cuney, P. G. Deslonde, Donato, G. Duparte, U. Dupart, François, Gair, Harper, Harris, Hempstead, Ingraham, R. H. Isabelle, Thos. Isabelle, Jones, Kelso, R. Lewis, Marie, Meadows, McLeran, Morris, Moses, Murrel, Newsham, Packard, Pierce, Pinchback, Poindexter, Pollard, Reagan, Riggs, Rodriguez, Scott, Thibaut, Tinchant, Twitchell, Vandergriff, Vidal, Wickliffe, Williams, Wilson—45.

Nays: Messrs. Antoine, Bertonneau, Burrel, Crane, Crawford, Dearing, Depasseau, Douglass, Edwards, Esnard, Fuller, Gould, Harrison, Martin, Massicot, McMillan, Mushaway, Myers, Oliver, Riard, Steele, Waples—22.

Mr. Blackburn moved that the bills of B. Bloomfield & Co. and J. W. Madden, as presented through the committee on contingent expenses, for stationery, etc., furnished this convention, be allowed, and warrants ordered to be issued for the same; and that all the bills for printing as presented to-day, and approved by the committee on printing and on contingent expenses, be also allowed, and warrants ordered to be issued for the same.

Adopted, yeas 47, nays [illegible], as follows:

Yeas: Baker, Belden, Blackburn, Blandin, Brown, Burrel, Butler, Cromwell, P. G. Deslonde, Donato, G. Duparte, U. Dupart, Duplessis, François, Gair, Harper, Harris, Hempstead, Ingraham, R. H. Isabelle, T. Isabelle, Jones, Lange, R. Lewis, Marie, Meadows, McLeran, Morris, Murrel, Oliver, Packard, Pierce, Poindexter, Pollard, Reagan, Riard, Riggs, Rodriguez, Scott, Thibaut, Tinchant, Twitchell, Vandergriff, Vidal, Wickliffe, Williams, Wilson—47 yeas.

Nays: Antoine, Bertonneau, Bonnefol, Cooley, Crane, Crawford, Cuney, Dearing, Depasseau, Douglass, Edwards, Esnard, Fuller, Ferguson, Gould, Harrison, Kelso, Massicot, McMillan, Moses, Myers, Pinchback, Waples—[illegible] nays.

Mr. Tinchant recorded the following reasons for his vote:

Believing that no injustice can be done to the official printer, by the committee on printing, I shall vote for the resolution of Mr. Blackburn.

Mr. Wickliffe moved to suspend the rules to take up the bill of the *Picayune*.

Adopted.

Mr. Wickliffe, as chairman of the special committee, submitted the following report:

REPORT OF SPECIAL COMMITTEE.

To the President and Members of the Constitutional Convention:

GENTLEMEN—Your committee appointed to investigate the claim of the *Picayune* newspaper, respectfully report that they can not learn that any officer of this convention has ordered said paper; but the action of this convention in regard to paying the *Picayune* by introducing a resolution to that effect at an early stage of our proceedings was considered by the proprietors of said paper as a tacit promise to do something for the relief of the paper, and upon the faith of that tacit promise, the proprietors continued to furnish said paper to the members of this convention.

Your committee therefore respectfully represent that all the circumstances considered, your committee suggest the propriety of adopting the following resolution:

Resolved, That five hundred dollars be and the same is hereby appropriated out of any funds that may be in the hands of the state treasurer, derived from the tax ordinance of this convention, after the warrants heretofore authorized are paid; and that the warrant clerk is hereby ordered to issue a warrant for the sum of five hundred dollars to Messrs. A. M. Holbrook & Co., the proprietors of the New Orleans *Picayune*,

And moved to adopt the resolution.

Adopted.

UNFINISHED BUSINESS.

Mr. Waples' article being under consideration,

Mr. Blandin moved to lay on the table.

Adopted.

Mr. R. H. Isabelle:

Article 143, minority report, as follows:

ART. 143. The corporation of the city of New Orleans shall be the parish of Orleans. The right bank, as now existing, shall be the fifth district; the other districts, as now existing, shall not be altered.

Mr. Wilson moved to amend by striking out all after the word "district," in the fourth line.

Adopted.

The article, as amended, being under consideration,

The convention adjourned until to-morrow at 10 o'clock A. M.

A true copy:

WM. VIGERS, Secretary.

FIFTY-SIXTH DAY.

NEW ORLEANS, Tuesday, Feb. 4, 1868.

The convention met pursuant to adjournment, and was called to order by the president at 10 A. M.

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

J. G. Taliaferro, president; Messrs. Antoine, Baker, Bertonneau, Blandin, Bonseigneur, Bonnefol, Brown, Burrel, Butler, Cooley, Crane, Cromwell, Cuney, Dearing, Demarest, Depasseau, G. Duparte, U. Dupart, Duplessis, Edwards, Esnard, François, Fuller, Ferguson, Gair, Gardiner, Gould, Guichard, Harper, Harris, Harrison, Ingraham, R. H. Isabelle, Thos. Isabelle, Jones, Kelso, Landers, Lange, Leroy, Marie, Martin, Massicot, Meadows, Moses, Murrel, Mushaway, Myers, Oliver, Packard, Pierce, Poindexter, Pollard, Reagan, Reese, Riard, Rodriguez, Scott, Snider, Steele, Thibaut, Twitchell, Underwood, Vandergriff, Waples, Wickliffe, Williams, Wilson—68 members present.

Prayer by the Rev. Josiah Fiske.

The minutes were read and adopted.

ORIGINAL RESOLUTIONS.

By Mr. R. I. Cromwell:

ART. —. All persons who do now, and have heretofore lived and cohabited together as husband and wife, shall be taken and held in law as legally married, and their issue shall be taken and held as legitimate for all purposes in law.

Resolved, That this shall be an article in the constitution of Louisiana.

Lies over.

By Mr. R. I. Cromwell:

Concubinage and adultery are prohibited within this state.

Resolved, That this shall be an article of the constitution of Louisiana.

Lies over.

By Mr. Cromwell:

ART. —. It shall not be lawful after the adoption of this constitution for any theatre, concert, circus, or any licensed place of amusement, to be carried on on the sabbath day.

Resolved, That this shall be an article in the constitution of Louisiana.

Lies over.

By Mr. Wickliffe:

Resolved, That the warrant clerk of this convention be instructed to issue to the members of this convention warrants for such sums as they may demand; Provided, That no member shall overdraw his per diem.

The rules were suspended, and the resolution was adopted.

By Mr. Crane:

ART. —. It shall require two-thirds of both houses of the general assembly to pass tax and appropriation bills. State, parish, municipal, and other taxes combined shall not exceed two per cent of the value of the property taxed.

Lies over.

SPECIAL COMMITTEE.

The special committee to examine and report upon the payment of taxes, through Mr. Reagan, chairman, submitted the following report:

REPORT OF SPECIAL COMMITTEE.

To the President and Members of the Constitutional Convention:

GENTLEMEN—Pursuant to a resolution adopted January 29, 1868, by the convention to inquire into the matter of the $2000 paid into the state auditor's hands by Thomas Askew, tax collector, first district, New Orleans, your committee beg leave to make the following report:

Having examined the collector's books, we find that up to the 28th day of January, 1868, there was received $2000 40, of which sum was in warrants issued by the convention to the amount of [illegible], almost all of which warrants were paid by the various insurance companies on their respective tax accounts.

All of which is respectfully submitted.

(Signed) O. H. HEMPSTEAD, [illegible] ANTOINE, GEO. W. REAGAN.

Which was received, and the committee was discharged.

UNFINISHED BUSINESS.

Mr. Crane moved to suspend the rules to enable him to offer the following as an article of the constitution:

ART. —. It shall require two-thirds of both houses of the general assembly to pass tax and appropriation bills. State, parish, municipal, and other taxes combined shall not exceed two per cent of the value of the property taxed.

Lost.

Mr. Isabelle moved to adopt article 143, minority report.

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

Adopted, yeas 46, nays 19, as follows:

Yeas: Baker, Bertonneau, Blandin, Bonnefol, Burrel, Cooley, Crane, Dearing, Demarest, Depasseau, Douglass, Duplessis, Furguson, Gair, Gardiner, Gould, Guichard, Harper, Harris, Harrison, Thomas Isabelle, Kelso, Landers, Massicot, Meadows, Mushaway, Myers, Oliver, Packard, Pierce, Pinchback, Poindexter, Pollard, Reagan, Reese, Schwab, Smith, Snaer, Scott, Snider, Steele, Thibaut, Twitchell, Underwood, Waples, Wickliffe, Williams, 46 yeas.

Nays: Antoine, Butler, Cromwell, G. Duparte, U. Dupart, Edwards, François, Ingraham, R. H. Isabelle, Jones, Lange, Leroy, McLeran, Morris, Moses, Murrel, Riggs, Rodriguez, Wilson—19 nays.

Mr. Pinchback was called to the chair.

Mr. Crane moved to adopt as article 133 the following:

ART. —. It shall require two-thirds of both houses of the general assembly to pass tax and appropriation bills. State, parish, municipal, and other taxes combined shall not exceed two per cent of the value of the property taxed.

Mr. Smith asked that the question be divided, and a vote taken separately upon the first and second clauses of the article.

The previous question was demanded by a majority of the delegates.

The question recurring upon the first part of the article, reading as follows:

It shall require two-thirds of both houses of the general assembly to pass tax and appropriation bills.

It was lost.

The question recurring upon the second part of the article, as follows:

State, parish, municipal, and other taxes combined shall not exceed two per cent of the value of the property taxed.

It was lost.

By Mr. Blandin:

Article 131, majority report, as follows:

There shall be a board of public works, to consist of one commissioner from each congressional district of the state.

Mr. Wickliffe moved to amend by striking out all after the word "article," and inserting title 10, constitution of 1864, as follows:

INTERNAL IMPROVEMENTS.

ART. 133. There shall be appointed by the governor a state engineer, skilled in the theory and practice of his profession, who shall hold his office at the seat of government for the term of four years. He shall have the superintendence and direction of all public works in which the state may be interested, except those made by joint stock companies, or such as may be under the parochial or city authorities exclusively, and not in conflict with the general laws of the state. He shall communicate to the general assembly, through the governor, annually, his views concerning the same, report upon the condition of the public works in progress, recommend such measures as in his opinion the public interests of the state may require, and shall perform such other duties as may be prescribed by law. His salary shall be five thousand dollars per annum, until otherwise provided by law. The mode of election, number, and salary of his assistants shall be fixed by law. The state engineer and assistants shall give bonds for the performance of their duties, as shall be prescribed by law.

The general assembly may create internal improvement districts, composed of one or more parishes, and may grant a right to the citizens thereof to tax themselves for their improvements. Said internal improvement districts, when created, shall have the right to select commissioners, shall have power to appoint officers, fix their pay, and regulate all matters relative to the improvements of their districts, provided such improvements will not conflict with the general laws of the state.

The general assembly may grant aid to said districts out of the funds arising from the swamp and overflowed lands, granted to the state by the United States for that purpose or otherwise.

The general assembly shall have the right of abolishing the office of state engineer, by a majority vote of all the members elected to each branch, and of substituting a board of public works in lieu thereof, should they deem it necessary.

Mr. Crane moved to amend the substitute by striking out the words "appointed by the governor," and inserting the words "elected by the qualified electors of the state."

The article as amended, and reading as follows:

ART. 133. There shall be elected by the qualified voters of the state a state engineer, skilled in the theory and practice of his profession, who shall hold his office at the seat of government for the term of four years. He shall have the superintendence and direction of all public works in which the state may be interested, except those made by joint stock companies or such as may be under the parochial or city authorities exclusively and not in conflict with the general laws of the state. He shall communicate to the general assembly, through the governor, annually, his views concerning the same, report upon the condition of the public works in progress, recommend such measures as in his opinion the public interest of the state may require, and shall perform such other duties as may be prescribed by law. His salary shall be five thousand dollars per annum, until otherwise provided by law. The mode of election, number, and salary of his assistants, shall be fixed by law. The state engineer and assistants shall give bonds for the performance of their duties as shall be prescribed by law.

The general assembly may create internal improvement districts, composed of one or more parishes, and may grant a right to the citizens thereof to tax themselves for their improvements. Said internal improvement districts, when created, shall have the right to select commissioners, shall have the power to appoint officers, fix their pay and regulate all matters relative to the improvements of their districts, provided such improvements will not conflict with the general laws of the state.

The general assembly may grant aid to said districts out of the funds arising from the swamp and overflowed lands granted to the state by the United States for that purpose or otherwise.

The general assembly shall have the right of abolishing the office of state engineer, by a majority vote of all the members elected to each branch, and of substituting a board of public works in lieu thereof, should they deem it necessary.

Was adopted.

Mr. Steele voted in the majority, and gave notice that he would move to reconsider.

Mr. Blackburn recorded the following reasons for his vote:

I vote against the proposition to provide for the organization of a board of public works by constitutional provision, for the reason, namely: that every landowner, whether in the Mississippi bottoms or on the bayous in the hill region of the state, should be left to protect his own property from waste and inundation; and for the further reason, that the entire levee system in Louisiana has heretofore proven a sublime humbug, and a grand swindle upon the people of the state at large, and there has not been, nor can there be any good reason advanced why it should not prove the same in the future, even to a greater extent.

W. JASPER BLACKBURN.

Mr. Belden recorded the following reasons for his vote:

I am in favor of the appointment of a state engineer, but shall vote against the amendment, as I favor the creation of a board of public works by constitutional provision, which the amendment destroys.

The geographical position of this state, the large amount of alluvial lands subject to inundation, and the present desolated condition of Louisiana, from inundation all demand that an efficient board of "internal improvement" be elected to secure to us relief from ruin and devastation. This great end I think can not be speedily and permanently secured by the amendment as by the creation of a board of commissioners representing all parts of the state.

S. BELDEN, of Orleans.

Mr. Wilson moved to adopt as article 134, the following:

TITLE VIII—EDUCATION.

The legislature shall establish free public schools throughout the state, and shall provide for their support by taxation or otherwise. All children of this state between the ages of six (6) and eighteen (18) shall be admitted to the public schools in common, without distinction of race, color, or previous condition. There shall be no separate schools established for any exclusive race by the state of Louisiana.

Laid on the table.

By Mr. Ingraham:

Article 145, minority report, as follows:

ART. 134. The legislature shall establish at least one free public school in every parish throughout the state, and shall provide for their support by taxation or otherwise. All children of this state between the ages of six (6) and twenty-one (21) shall be admitted to the public schools or other institutions of learning sustained or established by the state, in common, without distinction of race, color, or previous condition. There shall be no separate schools or institutions of learning established for any exclusive race by the state of Louisiana.

Mr. Blandin moved to amend by striking out "twenty-one" and inserting "eighteen."

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

Adopted.

Mr. Hempstead moved to amend by striking out "six" and inserting "four."

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

Adopted.

The article was adopted—yeas 61, nays 12—as follows:

Yeas: Taliaferro, Antoine, Belden, Bertonneau, Blandin, Bonnefol, Burrel, Butler, Crane, Cromwell, Demarest, Depasseau, Donato, Douglass, Duparte, Dupart, Duplessis, Esnard, François, Gair, Gardiner, Guichard, Harris, Ingraham, Isabelle R. H., Isabelle Thomas, Jones, Kelso, Landers, Lange, Leroy, Richard Lewis, Marie, Martin, Massicot, Meadows, McLeran, Morris, Moses, Murrel, Mushaway, Myers, Newsham, Oliver, Packard, Pierce, Pinchback, Poindexter, Pollard, Reagan, Riard, Riggs, Rodriguez, Schwab, Snaer, Scott, Thibaut, Tinchant, Vandergriff, Vidal, Wickliffe, Williams, Wilson—61 yeas.

Nays: Baker, Blackburn, Cooley, Dearing, Ferguson, Gould, Harper, Harrison, Hempstead, McMillan, Snider, Twitchell—12 nays.

Mr. Snider recorded the following reasons for his vote:

I do most heartily protest against the 134th article of the constitution, and think it will be the great means of defeating the constitution on the day of ratification.

(Signed) G. SNIDER.

Mr. Dearing recorded the reasons for his vote on article 145, minority report:

While I am committed to a free pu… lic school system supported by ta… tion, and while I am willing to gi… my vote to tax the property of eve… citizen in the state to support f… public schools, and believing that t… parents of a large number don't w… this, I am unwilling to inaugurate … system of schools in the present … moral state of society, which I … forced to believe will have such a de… moralizing influence. I am, theref… compelled to vote against this arti…

GEO. W. DEARING, Jr.

Mr. McMillan recorded the reas… for his vote as follows:

I vote against this article for … reason that it will defeat the organi… tion of a complete and thorough co… mon school system in this state.

W. L. McMILLAN.

Mr. Hempstead recorded the … sons for his vote:

I vote "no" because I want to g… children at the age of four years … opportunity to attend the pu… schools, and not because I am oppo… to the system proposed.

O. H. HEMPSTEAD, Jr., Assumptio…

Mr. Blackburn recorded the rea… for his vote:

I vote "no" because such article … attempted to be carried out practica… will break up our free public sch… system, or at least virtually exc… the colored children from all par… pation therein. I am a friend of … men, and more especially of all c… dren, regardless of race or color; b… desire and aim to be upon a safe … practicable basis.

W. JASPER BLACKBUR…

Mr. Baker's vote:

I voted "no" because such a sys… of schools will benefit a few at the … pense of the many, and in my opi… will hereafter be most complaine… by those who favor it now, and … share the fate of all paper guaran… not founded on common sense … practical utility.

L. W. BAKE…

Mr. Harper's vote:

I vote "no," being anxious th… system of schools might be establi… whereby all the children of the … may be educated, and being conf… that this article of the constitutio… do much t… defeat a desirable res…

P. HARPE…

Mr. Martin's vote:

Considering that this system of … lic schools to all children, withou… gard to color, race, or previous c… tion, will elevate and enrich the c… munity, which ignorance dishon… and burdened, I feel it my du… vote in the affirmative for the adop… of the article.

THOMAS N. MARTI…

By Mr. Thibaut:

Article 146, minority report, a… lows:

ART. 146. No municipal corpo… shall make any rules or regu… contrary to the spirit and intenti… this article.

Mr. Ingraham moved to amen… striking out "this" in the third … and inserting "134" in the fourth …

Adopted.

The article, as amended, and … ing as follows:

ART. 135. No municipal corpo… shall make any rules or regu… contrary to the spirit and intenti… article 134.

Was adopted.

By Mr. Blandin:

Article 147, majority report, a… lows:

ART. 147. There shall be elect… the people of this state a superi… ent of public education, who shal… his office for two (2) years. His … shall be prescribed, and his salary … be $3000 per year; payable qua… upon his own warrant.

Mr. Wickliffe moved to ame… substituting "four" in place of "…

Adopted.

Mr. Wickliffe moved to ame… striking out all after "years," a… serting "his duties and salary s… prescribed by law."

Adopted.

Mr. Harper moved to amend … ding:

He shall adopt a system of i… tion administered by a com… board, with the widest and fulle… licity of results.

Laid on the table.

Mr. Wickliffe moved to am… striking out the words "by th… ple," and inserting "by the q… voters."

Adopted.

The article, reading as follows:

ART. 136. There shall be elected … qualified voters of this state a super… ent of public education, who shall … office four (4) years. His duties and … shall be prescribed by law, and … have the supervision and general co… all public schools throughout the st…

Was adopted.

By Mr. Blandin:

Article 14[illegible], minority report, as f…

ART. 137. The general exercises … public schools shall be conducted … English language.

Adopted.

By Mr. Tinchant:

Article 1[illegible], minority report, as f…

ART. 138. The proceeds of th… heretofore, and that which may h… be granted by the United States … state for the use or purpose of th… schools of the state, and the pro… the estates of deceased persons … the state may become entitled … shall be and remain a perpetual … which the state shall pay an annual … of six (6) per cent, which interest, … with the interest of the trust fund … with the state by the United States … the act of congress approved J… 18[illegible], and all the rents of the … shall be appropriated to the suppor… schools. And this appropriation … main inviolable.

Adopted.

By Mr. Meadows: