OFFICIAL:

STATE OF LOUISIANA.

PROCEEDINGS OF THE GENERAL ASSEMBLY.

JOURNAL OF THE HOUSE.

Thirtieth Day's Session.

SATURDAY, August 1, 1868.

The House met pursuant to adjournment.

Speaker Lowell in the chair.

The roll being called, sixty-seven members answered to their names:

Speaker Lowell, Abbot, Alexander, Antoine, Adolphe, Bennett, Buckingham, Bewster, Barbee, Burrel, Collins, Carr, Cuney, Deslonde, Dufresne, Dewees, Demarest, Dupart, Evans, Eager, Esnard, Faulkner, Guigonet, Garstkamp, Gray, Guidry, Hill, Haskell, Honore, Holland, Leroy, Lott, Landers, Morris, Mollere, McCullen, Mahier, McVean, Murrell, Melvin, Mansion, Morey, Morand, Mathews, Noble, Pearce, Pratt, Pierce, Page, Prescott, Raymond, Reese, Rey, Slaton, Smith, Sterrett, Taylor, Tureaud, Washington, Wren, Wilson, Umphreys, William C. Williams, H. Williams, Yorke, D. Young—67.

Prayer by Rev. Mr. Gold.

On motion of Mr. Garstkamp, of Jefferson, the reading of the journal was dispensed with.

[PETITIONS AND MEMORIALS.

None.

RESOLUTIONS.

Under a suspension of the rules Mr. Dewees, of Bienville, offered the following resolution, which was adopted:

Resolved, That the Committee on Elections and Qualifications be instructed to furnish this House with a tabular statement showing the number of votes cast on the seventeenth and eighteenth days of April last at each poll in the Fourth Representative District, parish of Orleans, for Representatives to the General Assembly, and for whom they were cast, as returned by the Commissioners of Election.

Under a suspension of the rules, Mr. Murrell, of Lafourche, offered the following resolution, which was adopted:

Resolved by the Senate and House of Representatives, That the joint committee on the conduct of the elections and the peace and good order of the State be authorized to employ such clerks and messengers as may be necessary.

Under a suspension of the rules, Mr. Yorke, of Carroll, offered the following resolution, which was adopted:

Resolved, That each standing committee be allowed to employ one page.

Mr. Burrel, of St. John the Baptist, offered the following resolution, which lies over under the rules:

Resolved, That the Committee on Enrollment be requested to vacate the room now occupied by them as soon as convenient, and that the Secretary of State be authorized thereupon to remove the State library to the room so vacated, and that the Sergeant-at-Arms of the House be instructed to render any assistance necessary to effect the change.

Mr. McMillen, of Carroll, offered the following as an additional rule, which was adopted under a suspension of the rules:

ART. 83. No smoking will be allowed within the hall of the House of Representatives during the session of the House.

Mr. Haskell, of Calcasieu, asked that leave of absence for one week be granted to Mr. Kavanagh.

Carried.

On motion of Mr. Taylor, of West Feliciana, leave of absence was granted to him for ten days.

REPORTS OF STANDING COMMITTEES.

The Committee on Claims reported as follows:

PETITION OF L. DILLON.

To the Honorable the Speaker and Members of the House of Representatives:

Your Committee on Claims beg leave to report unfavorably to the petition of L. Dillon, and return the same, recommending petitioner to sue the State Tax Collector for amount of his bill, he having collected the same.

J. H. McVEAN, Chairman.

The report was received, accepted, and agreed to.

MESSAGE FROM THE SENATE.

The Secretary of the Senate appeared and asked concurrence in Senate bill No. 59, and announced also that the Senate had concurred in House bill No. 82.

REPORT OF THE COMMITTEE ON INTERNAL IMPROVEMENTS.

Mr. Demarest, chairman of the committee, submitted the following report, which was received and accepted:

To the Honorable Speaker and Members of the House of Representatives of the State of Louisiana:

GENTLEMEN—Your Committee on Internal Improvements beg leave to report the following joint resolution as a substitute for House bill No. 22, referred to them for consideration:

Joint Resolution making an appropriation for the Improvement of Navigation of Bayou Plaquemine.

WHEREAS, In the year 1865 certain persons in the parish of Iberville, under the pretended authority of the Police Jury of said parish, did erect and build a solid and substantial dike or dam across Bayou Plaquemine at its mouth, at the town of Plaquemine, in the parish of Iberville, thereby completely closing said bayou and entirely destroying the navigation thereof, and preventing all communication between the Mississippi river and said bayou; therefore

SECTION 1. Be it resolved by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the sum of five hundred dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated for the purpose of improving the navigation of Bayou Plaquemine by removing the dike or dam now closing its mouth at the town of Plaquemine, parish of Iberville, thereby allowing the water from the Mississippi river to flow freely and unobstructed through said bayou, and that the said improvement shall be under the direction and superintendence of the State Engineer.

SEC. 2. Be it further resolved, etc., That this resolution shall take effect from and after its passage.

All of which is respectfully submitted.

A. J. DEMAREST, Chairman;
M. RAYMOND,
DAVID YOUNG,
W. C. WILLIAMS,
W. C. MELVIN.

On motion of Mr. Noble, of Orleans, the bill was referred to the Committee of the Whole.

Mr. Demarest, chairman of the same committee, submitted the following report, which was received and accepted:

To the Honorable Speaker and Members of the House of Representatives of the State of Louisiana:

GENTLEMEN—Your committee on Internal Improvements, to whom was referred House bill No. 60, have the honor to report in favor of said bill, with the exception as to the length of time for which the privilege should be granted.

Your committee would respectfully recommend that the third section of the above bill be so amended as to read ten years in the place of twenty.

All of which is respectfully submitted.

A. J. DEMAREST, Chairman;
M. RAYMOND,
DAVID YOUNG,
W. C. WILLIAMS,
W. C. MELVIN.

An act granting to Gabrial Mullen the exclusive right to build a toll bridge across the Amite river.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the exclusive right is hereby given to Gabrial Mullen, of the parish of Livingston, to build a toll bridge across the Amite river, at a point (to be selected by him) between McCoy's ferry and T. Brauferds on said river.

SEC. 2. Be it further enacted, etc., That all persons are prohibited from building any toll bridge or bridges across said river Amite within five miles above and five miles below the point selected for the bridge contemplated by this act; Provided the said Mullen completes his said bridge within twelve months after the passage of this act.

SEC. 3. Be it further enacted, etc., That the said Gabrial Mullen, his heirs and assigns, shall have and enjoy all the rights, privileges, and emoluments for the term of ten years, to date from the passage of this act; provided said bridge is built and completed for and within twelve months from the passage of this act; and provided further, That all the expense in constructing and keeping in repair said bridge shall never be a charge upon the State, but be wholly borne by the said Mullen, his heirs, or assignees.

SEC. 4. Be it further enacted, etc., That the rate of toll or tariff for crossing to be charged by the said Mullen, his heirs, or assignees, shall be fixed and regulated by the police juries of the parishes of Livingston and East Baton Rouge.

Mr. Noble, of Orleans, offered the following amendment:

I move to strike out the words "all other persons prohibited from building a bridge five miles above or below."

On motion of Mr. Pierce, of Livingston, the amendment was laid on the table by a rising vote of yeas 28, nays 25.

On motion of Mr. Pierce, of Livingston, the bill was considered engrossed, placed on its second and third readings and final passage.

The bill was ordered to be sent to the Senate for concurrence.

Mr. Harper, of St. Charles, chairman of the Judiciary Committee, submitted the following report, which was received, accepted, and agreed to:

COMMITTEE ON JUDICIARY ROOM, August 1, 1868.

To the Honorable Speaker and House of Representatives:

GENTLEMEN—Your Committee on Judiciary having considered House bill No 31, an act to repeal article 601 of the Louisiana Code of Practice, report unfavorably.

And having also considered House bill No. 61, an act to organize the police juries of the State of Louisiana, beg leave to report unfavorably.

P. HARPER, Chairman Judiciary Committee:
C. B. PRATT,
B. C. WREN.

The same committee reported as follows:

JUDICIARY COMMITTEE ROOM, August 1, 1868.

To the Honorable Speaker and House of Representatives:

GENTLEMEN—Your Committee on Judiciary, having considered Senate bill No. 7, "An act to provide for the removal of causes now pending in the Supreme Court under the constitution of eighteen hundred and sixty-four to the Supreme Court established under the new constitution," beg leave to concur in the same.

P. HARPER, Chairman Judiciary Committee.

The bill was placed on its third reading and final passage, and notice ordered to be sent to the Senate.

REPORT OF THE COMMITTEE OF PUBLIC LANDS AND LEVEES.

Mr. Reese, chairman of the above committee, submitted the following report which was accepted:

ROOMS OF COMMITTEE On Public Lands and Levees, House of Representatives, New Orleans, July 29, 1868.

To the Honorable Speaker and Members of the House of Representatives:

GENTLEMEN—Your Committee on Public Lands and Levees, to whom was referred House bill No. 35, entitled "an act to authorize the Governor of the State to appoint a Provisional Board of Levee Commissioners" after having taken the matter into careful consideration have come to the conclusion that in order to give the people a fair representation in the proposed Board of Levee Commissioners, it will be proper and necessary to divide the State into levee districts as nearly equal as may be, and allow each district one commissioner; with this exception the main features of the bill above referred to are incorporated in a bill which your committee have drawn up, entitled "an act to create a Board of Levee Commissioners, to define their duties, and fix their compensation," all of which is respectfully submitted,

D. H. REESE, Chairman;
W. S. CALHOUN,
WILLIS PRESCOTT,
T. MAHIER.

The bill passed its first reading and placed on the calendar.

MESSAGE FROM THE SENATE.

The Secretary of the Senate appeared and asked concurrence in Senate bill No. 59.

On motion of Mr. McMillen, of Carroll, House bill No. 66 was recommitted.

NOTICES OF BILLS.

By Mr. Lott, of Rapides:

An act to exempt a certain amount of property from seizure.

By Mr. Hutchinson, of St. Tammany:

An act to suspend the collection of State and Convention taxes in the parish of St. Tammany.

By Mr. Faulkner, of Caldwell:

An act to establish the fees due witnesses who are duly subpenaed before the several House committees.

BILLS INTRODUCED.

By Mr. Hill, of Ascension:

House bill No. 72, a joint resolution to provide for the payment of the supervisors of election appointed by the Board of Registration.

Read a second time and referred to the Committee on Ways and Means.

By Mr. Hill, of Ascension:

House bill No. 95, an act making eight hours a legal day's work.

Placed on its second reading and referred to the Committee on Judiciary.

By Mr. Brewster, of Ouachita:

House bill No. 96, entitled an act providing for the indenture of all persons under the age of eighteen years convicted of any crime not capital, before any court of criminal jurisdiction in the State.

By Mr. Demarest, of St. Mary:

House bill No. 97, entitled an act to incorporate a hook and ladder company in the town of Franklin, parish of St. Mary.

Passed its first and second readings, and referred to the Committee on Corporations.

By Mr. Mollere, of Assumption:

House bill No. 98, entitled an act for the relief of necessitous taxpayers whose lands have been overflowed in 1865, '66, and '67.

By Mr. Leroy, of Natchitoches:

House bill No. 100, entitled an act relative to the observance of the Sabbath.

By Mr. Buckingham, of Morehouse:

House bill No. 99, entitled an act to amend an act entitled an act, and the amendment thereto concerning the town of Bastrop, in the parish of Morehouse.

SENATE BILLS FOR CONCURRENCE.

Senate bill No. 10, entitled an act to organize the Parish Courts of this State, and fixing the duties of Sheriffs and Clerks, passed its first reading and 150 copies ordered to be printed.

Senate bill No. 12, entitled an act to incorporate the New Orleans Elevator Company, passed its first reading and 150 copies ordered to be printed.

Senate bill No. 43, entitled an act to provide for the revision of the statutes of the State of a general character, passed its first and second readings and referred to the Committee of the Whole.

Senate bill No. 59, entitled an act revising and amending the charter of the city of Jefferson, passed its first and second readings and referred to the Committee on Corporations.

ORDER OF THE DAY.

House bill No. 49 being under discussion, Mr. Lee, of St. Bernard, moved that the bill be recommitted.

BILLS ON THEIR SECOND READINGS.

By Mr. Harper, of St. Charles:

House bill No. 86—referred to the Committee on Ways and Means.

COMMITTEE OF THE WHOLE.

At two o'clock the House resolved itself into a Committee of the Whole for the further consideration of House bill No. 56.

Mr. Morey, of Ouachita, in the chair. Section four was read.

Mr. De Grange, of Orleans, offered the following amendments:

Erase in ninth line "for any cause."

Erase in fifteenth line the word "any," and insert "the."

Erase in the fifteenth line the words "in the State of," and in sixteenth line "Louisiana," and insert "of the parish in which the land, the title wherein is sought, is situated."

Erase in the fifty-third line the words "are known," and insert "can be ascertained by."

Erase in the sixty-second line the word "five," and insert "ten."

Insert after the word "minds," end of the sixty-eighth line, and "in that case upon their tutors, curators, or guardians."

The amendments, on motion of Mr. Carr, of Orleans, were adopted.

Section four, as amended, was recommended for adoption.

Section five was read.

Mr. De Grange, of Orleans, offered the following amendments:

Erase from sixty-third line, from word "shall," all the 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72d, and part of the 73d line, "per and just," and insert:

Appoint a curator ad hoc for each of said persons upon whom notice of the application shall be served, and reasonable time allowed for said curators to correspond with those whom they are appointed to represent, if absentees.

Amendments rejected.

Section fifth, as amended by the committee, was recommended for adoption.

Section sixth was read, and recommended for adoption.

Section seventh was read.

Mr. De Grange, of Orleans, offered the following amendments:

Insert after the word "interested," in the fifty-ninth line: "Provided that any party to said decree shall have the right of appeal to the Supreme Court from any decree adverse to their interest, or the interest of those they may represent."

The amendment was accepted.

Section seventh as amended was recommended for adoption.

Section eighth was read, and recommended for adoption.

Section ninth was read.

On motion of Mr. Isabelle, of Orleans, section ninth was stricken out.

Section tenth was read.

Mr. De Grange, of Orleans, offered the following amendments:

Erase the whole of line No. 19, and insert the word "permit."

Erase in the twenty-first line the word "grant" and insert the word "allow."

Add the word aforesaid on the twenty-first line, "Provided that this company shall be to all the cost and expenses of said connections, turnouts, etc., and pay a proportionate and proper share of cost of construction of such portion as may be used by it."

Erase in twenty-fifth line the words "division and," and in twenty-sixth line the word "apportionment," and insert instead the words "proper amount."

Erase in twenty-ninth line the word "the" and the letter "s" to the word "cost."

Erase in the twenty-seventh line the word "expense," and insert the word "damages."

Amendments rejected, and the section recommended for adoption.

Sections eleven and twelve were read and recommended for adoption.

Section thirteen was read and recommended for adoption as amended by the committee.

Sections fourteen and fifteen were read and recommended for adoption.

Mr. Garstkamp, of Jefferson, moved that the committee rise and recommend the passage of the bill.

Carried.

The Speaker resumed the chair.

The committee through its chairman reported in behalf of the committee the passage of the bill as amended.

Mr. Brewster, of Ouachita, chairman of the Committee on Enrollment, submitted the following report, which was received and accepted.

To the Honorable Speaker and Members of the House of Representatives:

Your committee have the honor to report that the following joint resolution has been duly enrolled, viz:

Joint resolution providing for a joint committee of the General Assembly, to whom shall be referred the financial report of the Board of Registration.

Respectfully submitted.

O. H. BREWSTER, Chairman Committee on Enrollment.

Mr. Walsh, of De Soto, moved that the rules be suspended in order that House bill No. 56 be placed on its third reading and final passage.

There being no quorum present, the House, on motion of Mr. De Grange, of Orleans, adjourned until Monday at twelve o'clock M.

WM. VIGERS, Chief Clerk House of Representatives.

Thirty-first Day's Session.

MONDAY, August 3, 1868.

The House met pursuant to adjournment.

Speaker Lowell in the chair.

The roll being called, fifty-three members answered to their names:

Speaker Lowell, Abbot, Antoine, Bennett, Belot, Brewster, Collins, Carr, Cuney, Deslonde, Dewees, Dufresne, Dupart, Evans, Esnard, Guigonet, Guidry, Hill, Haskell, Hanlon, Honore, Hutchinson, Holland, Le Blanc, Lott, Landers, Morris, Mollere, McCullen, Mahier, McVean, Murrell, Melvin, Mansion, Morand, May, Noble, Pearce, Page, Raymond, Rey, Slaton, Smith, Tureaud, Washington, Wren, Wilson, Umphreys, William C. Williams, H. Williams, Waters, Zoelly—53.

Prayer by Chaplain Kingston.

On motion of Mr. Lott, of Rapides, the reading of the journal was dispensed with.

PETITIONS AND MEMORIALS.

Mr. Pierce, of Livingston, presented a petition signed by a number of citizens of the parish of Livingston praying for the improvement of the navigation of Tickfaw river.

Referred to the Committee on Internal Improvements.

Mr. Faulkner, of Caldwell, moved to reconsider the vote taken Saturday last, on the recommittal of House bill No. 66.

Yeas and nays called and ordered, which resulted as follows:

Yeas: Antoine, Bennet, Collins, Calhoun, Carr, Cuney, Dewees, Evans, Faulkner, Garstkamp, Hill, Haskell, Hanlon, Hutchinson, Holland, Leroy, Lott, Landers, Mollere, McCullen, Melvin, May, Mathews, Noble, Pierce, Reese, Slaton, Wilson, Umphreys, Wm. C. Williams, Waters, Yorke, Zoelly—33.

Nays: Abbot, Alexander, Adolphe, Belot, Brewster, Burrel, Deslonde, Dufresne, Demarest, Dupart, Esnard, Guigonet, Guidry, Honore, LeBlanc, Lee, Morris, Mahier, McMillen, McVean, Manson, Morand, Pearce, Page, Raymond, Rey, Smith, Sterrett, Tureaud, Washington, H. Williams, D. Young—32.

The motion to reconsider the bill prevailed.

Mr. McVean, of Caddo, moved to refer the bill to the Committee of the Whole.

Mr. Carr, of Orleans, moved to lay the motion on the table.

Yeas and nays called and ordered, which resulted as follows:

Yeas: Antoine, Adolphe, Bennett, Belot, Collins, Calhoun, Carr, Cuney, Deslonde, Dufresne, Demarest, Dupart, Evans, Esnard, Faulkner, Fouts, Guigonet, Garstkamp, Guidry, Hill, Hanlon, Honore, Hutchinson, Holland, Kent, Lee, Leroy, Lott, Morris, Mollere, Mahier, McMillen, Melvin, Mansion, Morey, May, Mathews, Noble, Pearce, Page, Raymond, Reese, Rey, Slaton, Smith, Taylor, Tureaud, Washington, Wren, Wilson, Umphreys, William C. Williams, H. Williams, Waters, Yorke, D. Young, Zoelly—57.

Nays: Abbot, Alexander, Buckingham, Brewster, Burrel, Dewees, De Grange, Gray, Le Blanc, Landers, McVean, Morand—12.

The motion to lay on the table prevailed.

Mr. Carr, of Orleans, moved to suspend the rules in order to take up bill No. 66.

Yeas and nays called and ordered, which resulted as follows:

Yeas: Bennett, Collins, Calhoun, Carr, Cuney, Dewees, Evans, Faulkner, Garstkamp, Hanlon, Holland, Leroy, Lott, Landers, Mollere, Murrel, Melvin, Morey, May, Mathews, Reese, Tureaud, Umphreys, H. Williams, Waters, Yorke—26.

Nays: Abbot, Alexander, Adolphe, Buckingham, Belot, Brewster, Burrel, Deslonde, Dufresne, DeGrange, Demarest, Dupart, Esnard, Fouts, Guigonet, Guidry, Hill, Honore, Harper, Kent, Le Blanc, Lee, Morris, Mahier, McMillen, McVean, Mansion, Morand, Noble, Pearce, Page, Pierce, Raymond, Rey, Slaton, Smith, Sterrett, Washington, Wren, Wilson, Wm. C. Williams, Zoelly—42.

The motion to suspend the rules was lost.

RESOLUTIONS.

Mr. Brewster, of Ouachita, offered the following resolution, which lies over under the rules:

Resolved, That from and after the fourth of August the Sergeant-at-Arms be and is hereby instructed not to admit any person within the lobby or this hall except State officers, members of the Senate and House of Representatives, without the written consent of one or more members of this House.

REPORTS OF STANDING COMMITTEES.

Mr. Rey, of Orleans, chairman of the Committee on Education, submitted the following majority report, which was received and accepted, and the bill therein recommended, under a suspension of the rules, was placed on its first and second readings by title, and 200 copies ordered to be printed:

COMMITTEE ROOM, House of Representatives.

To the Honorable Speaker and Members of the House of Representatives:

The Committee on Education beg leave to report the following:

Act entitled an act to regulate public education in the State of Louisiana.

Your committee ask the suspension of the rules to have it read twice by its title and request the House to order two hundred and fifty (250) copies thereof printed for the use of the members of the House, and that it be referred back to the committee for further consideration.

HENRY L. REY, Chairman Committee on Education,
JOSEPH MANSION,
E. W. DEWEES,
DAVID C. FOUTS,
F. C. ANTOINE,
P. G. DESLONDE,
W. H. PIERCE.

Mr. Carr, of Orleans, chairman of the Committee on Elections and Qualifications, submitted the following majority report, with resolutions:

MAJORITY REPORT.

To the Speaker and Members of the House of Representatives of the State of Louisiana:

The undersigned, members of the Committee on Elections and Qualifications of Members, respectfully report as follows:

We have examined with much care and study the case of Messrs. Heidenhain and Hall, contesting the election of Messrs. Zacharie and Stringer, as members of this House from the Fourth Representative District of the city of New Orleans, and have come to the following conclusions, which they believe are clearly borne out by law and evidence:

1. That gross and most outrageous frauds were perpetrated in the said Fourth Representative District, all of which were calculated to injure the cause of the contestants Heidenhain and Hall, and to render the proclaimed election of Zacharie and Stringer unjust and illegal and unconstitutional.

2. That a large number of colored voters were deprived of their just rights as American citizens and voters; in almost every instance their "registration papers" were unjustly taken from them by partisan commissioners, and the voters themselves were sent to prison and kept until the election was over, and there was an utter impossibility of their making any further efforts to exercise their rights of suffrage. The evidence shows that very many of them were kept in jail until the Tuesday after the election, when they were released under very curious circumstances by Recorder Gastinel, who was himself a candidate for re-election, and profited by their deprivation of their suffrage.

3. The Board of Registrars, composed of Messrs. S. B. Packard, chairman, N. Underwood, J. H. Ingraham, S. B. Harris, W. Jasper Blackburn, O. H. Hempstead, and G. M. Wickliffe, appointed by the late Constitutional Convention, in their report to the Legislature, say:

The protest of Henry Heidenhain and Jerry Hall against Charles Stringer and F. C. Zacharie, who were declared elected from the Fourth Representative District of the city of New Orleans, claims the attention of your honorable body.

"The Board is satisfied from their investigations that the amount of frauds in that district was sufficiently great to vitiate the election, and justify the contestants in claiming their seats. It shows that the names of twenty-seven persons were illegally erased from the registry list, which deprived them of their right of suffrage."

The affidavits of a large number of persons whose registration papers were forcibly taken from them, and who were deprived of the privilege of voting, will be found among the documents referring to the election in that district, to which the attention of your honorable body is invited.

4. Mr. Zacharie claims an election by a majority of thirty-three votes, and Mr. Stringer fifty-seven; but the evidence establishes the fact that had the election been fairly and legally conducted Messrs. Heidenhain and Hall would have been elected by a majority of one hundred (100) votes.

5. That under all principles of law and justice Messrs. Heidenhain and Hall are entitled to the seats which Messrs. Zacharie and Stringer were proclaimed elected by General Buchanan.

Therefore, the undersigned recommend the adoption of the resolution herewith submitted, which they hope will serve as a rebuke to the spirit of lawlessness and outrage which characterized the late election in the Fourth Representative District of New Orleans, besides giving the contestants and their constituents their proper and legal rights.

MORTIMER CARR,
HARRY LOTT,
F. C. ANTOINE.

1. *Resolved*, That Messrs. F. C. Zacharie and Charles Stringer are not entitled to seats in this House as Representatives from the Fourth Representative District of New Orleans.

2. *Resolved*, That Henry Heidenhain and Jerry Hall are entitled to seats in this House as Representatives from the Fourth Representative District of New Orleans, and that they be now sworn in as members.

On motion, the report was received and accepted, and the resolutions accompanying the report lie over under the rules.

Mr. Lee, of St. Bernard, moved that the consideration of the substitute for House bill No. 15, made the special order of the day for one o'clock, be postponed until tomorrow at one o'clock P. M.

Carried.

On motion of Mr. Lee, of St. Bernard, the House adjourned until to-morrow at twelve o'clock M.

WM. VIGERS, Chief Clerk House of Representatives.

Thirty-second Day's Session.

TUESDAY, August 4, 1868.

The House met pursuant to adjournment.

Speaker Lowell in the chair.

The roll being called, sixty-two members answered to their names:

Speaker Lowell, Abbot, Alexander, Antoine, Adolphe, Bennett, Buckingham, Belot, Brewster, Burrel, Collins, Calhoun, Carr, Cuney, Deslonde, Dufresne, Demarest, Dupart, Esnard, Guigonet, Garstkamp, Gray, Guidry, Hill, Haskell, Honore, Harper, Hutchinson, Holland, Isabelle, Kent, Le Blanc, Leroy, Lott, Landers, Morris, Mollere, McCullen, Melvin, Mansion, Morand, Mathews, Noble, Pearce, Prescott, Raymond, Reese, Rey, Slaton, Sterrett, Tureaud, Walsh, Washington, Wren, Umphreys, William C. Williams, H. Williams, Yorke, D. Young, Zoelly—59.

Nays: Abbott, Buckingham, Barbee, De Grange, Demarest, Dupart, Evans, Eager, Garstkamp, Hill, Hanlon, Kent, Landers, Morris, Mollere, McCullen, Murrell, May, Noble, Pierce, Prescott, Slaton, Wilson, Waters, Zoelly—25.

Motion to adhere prevailed.

The same committee reported favorably on House bill No. 86, authorizing the State Auditor to employ two clerks and two messengers.

Mr. Lee, of St. Bernard, moved that the rules be suspended in order to place the bill on its third reading, and final passage. The rules were not suspended, and the bill ordered to be engrossed.

The Committee on Enrollment submitted the following report, which was received and accepted:

ENROLLMENT DEPARTMENT, House of Representatives.

To the Hon. Charles W. Lowell, Speaker House of Representatives:

Your committee have the honor to report that the following bills have been duly engrossed, viz:

An act for the relief of Margaret C. Murphy.

An act relative to the New Orleans, Mobile, and Chattanooga Railroad Company.

An act relative to the removing obstructions and wrecks from the Boquetalaya river, parish of St. Tammany.

An act providing a remedy against usurpation, intruding into, or the unlawful holding or exercising a public office in this State.

An act to provide for supplying the loss of the public records and other papers consumed by the burning of the Courthouse in the parish of Winn.

Respectfully submitted,

O. H. BREWSTER, Chairman Committee on Enrollment.

NOTICES OF BILLS.

By Mr. Calhoun, of Rapides:

An act for the relief of the office of Attorney General, State of Louisiana.

Mr. Faulkner, of Caldwell, offered the following joint resolution:

WHEREAS, The feeling of intolerance as manifested in this city the past few days, and attempted violent action by attempting to hinder freedom of speech and action in reference to politics and political discussion, is calculated to vitiate the great principles of civil liberty; and

Whereas, The right and title of every American citizen to the freedom of adopting his own political sentiments, and adhering and uniting to any political party and principles that his judgment may approve, or his inclinations may desire, is an acknowledged American right, and fully espoused and indorsed by the great Republican party of the United States; therefore

Be it resolved by the Senate and House of Representatives in General Assembly convened, That the General Assembly deprecate and condemn any attempt to intimidate or abridge these great rights and privileges—freedom of speech, opinion, and political action—which underlie the Constitution of the United States itself.

Be it further resolved, That we, the Representatives of the people of Louisiana, heartily concur with his Excellency Henry C. Warmoth in the noble and patriotic sentiments as uttered by him yesterday, the third of August, to an assembled multitude, and hereby pledge the action of the General Assembly to act in conjunction with him in preserving order and right and freedom of political speech and action, without fear or molestation, to all the citizens of whatever political party or color.

Be it further resolved, That we cordially invite and solicit the united sentiment and action of all good citizens of the State of Louisiana, of whatever politics or color, to unite their efforts to preserve peace, law and order, that entire freedom of thought, expression, and action may be fully and fearlessly felt and exercised by all men and parties throughout the precincts of our State, now one of the great free States of the American Union.

The rules were suspended, and it passed its first, second, and third readings.

Mr. Garstkamp, of Jefferson, moved that further consideration of the joint resolution be postponed and made the order of the day for Monday next.

Mr. Lee, of St. Bernard, moved that the resolution be referred to a committee of three.

Mr. De Grange called for the yeas and nays, which resulted as follows:

Yeas: Abbot, Alexander, Antoine, Adolphe, Collins, Calhoun, Cuney, Deslonde, Dewees, Dufresne, Demarest, Dupart, Evans, Esnard, Faulkner, Guigonet, Garstkamp, Gray, Guidry, Hill, Honore, Harper, Hutchinson, Holland, LeBlanc, Leroy, Lee, Lott, Morris, Mollere, Mahier, McMillen, McVean, Murrell, Melvin, Morey, Morand, Mathews, Pearce, Page, Raymond, Reese, Rey, Sterrett, Walsh, Washington, Wren, Umphreys, Wm. C. Williams, H. Williams, Yorke, D. Young—52.

Nays: Bennett, Buckingham, Brewster, Barbee, Burrel, DeGrange, Eager, Hanlon, Kent, Landers, McCullen, May, Noble, Pierce, Prescott, Slaton, Tureaud, Wilson, Waters, Zoelly—20.

The Speaker appointed the following committee on the joint resolution:

Messrs. Faulkner, McMullen and De Grange.

Committee on Elections, pro tem—Mathews and McCullum.

Committee to examine the financial report of Board of Registration—Messrs. Brewster, Morand, and Pierce.

ORDER OF THE DAY.

Substitute for House bill No. 15 being under consideration.

Mr. McMillen, of Carroll, moved to postpone further consideration of the bill until Friday next at one o'clock P. M.

Carried.

Mr. Carr, of Orleans, moved that the rules be suspended, to take up the majority report of the Committee on Elections.

Rules suspended.

Mr. Carr moved that the following resolutions be taken up:

1. *Resolved*, That Messrs. F. C. Zacharie and Charles Stringer are not entitled to seats in this House as Representatives from the Fourth Representative District of New Orleans.

2. *Resolved*, That Henry Heidenhain and Jerry A. Hall are entitled to seats in this House as Representatives from the Fourth Representative District of New Orleans, and that they be now sworn in as members.

Carried.

Mr. De Grange, of Orleans, moved the three reports be read.

Carried.

The reports were read.

Mr. Carr, of Orleans, moved to adopt the resolutions offered by the majority of the Committee on Elections and Qualifications, and called for the yeas and nays.

Yeas and nays ordered, resulting as follows:

Yeas: Abbot, Alexander, Antoine, Adolphe, Belot, Collins, Calhoun, Carr, Cuney, Deslonde, Dewees, Dufresne, Dupart, Evans, Esnard, Guigonet, Garstkamp, Guidry, Hill, Honore, Harper, Hutchinson, Holland, Isabelle, LeBlanc, Leroy, Lott, Morris, Mollere, Mahier, McVean, Murrell, Mansion, Morey, Morand, May, Mathews, Pearce, Raymond, Reese, Rey, Sterrett, Tureaud, Walsh, Washington, Wilson, Umphreys, Wm. C. Williams, H. Williams, Waters, Yorke, D. Young, Zoelly—51.

Nays: Demarest, Eager, Page—3.

The bill was ordered to be sent to the Senate for concurrence.

Mr. Harper, of St. Charles, moved to consider the vote last taken.

Mr. Carr, of Orleans, moved to lay the motion to reconsider on the table.

Carried.

On motion of Mr. Rey, of Orleans, the House adjourned until to-morrow at twelve o'clock M.

WILLIAM VIGERS, Chief Clerk House Representatives.

Thirty-third Day's Session.

WEDNESDAY, August 5, 1868.

The House met pursuant to adjournment, Speaker Lowell in the chair.

The roll being called, fifty-two members answered to their names:

Speaker Lowell, Abbot, Alexander, Antoine, Adolphe, Bennett, Belot, Brewster, Burrel, Collins, Calhoun, Carr, Cuney, Deslonde, Dewees, Dupart, Evans, Esnard, Faulkner, Garstkamp, Guidry, Hill, Honore, Hutchinson, Holland, Isabelle, Kent, LeBlanc, Morris, McCullen, Mahier, McVean, Murrell, Mansion, Morey, Morand, May, Mathews, Pearce, Raymond, Reese, Rey, Sterrett, Tureaud, Walsh, Washington, Wilson, Umphreys, William C. Williams, H. Williams, Yorke, D. Young, Zoelly—52.

Prayer by Chaplain Kingston.

On motion of Mr. Lott, of Rapides, the reading of the journal was dispensed with.

On motion of Mr. Antoine, of Orleans, were sworn in by the Speaker, and took Messrs. Heidenhain and Hall, of Orleans, to their seats.

PETITIONS AND MEMORIALS.

Mr. Garstkamp, of Jefferson, presented the petition of Mrs. Mary Jacobine, Superintendent of the St. Joseph Boys' and Girls' Asylum, praying for assistance.

On motion, the petition was referred to the Committee on Charitable Institutions.

RESOLUTIONS.

The following resolution, offered by Mr. McVean, of Caddo, lies over under the rules:

WHEREAS, The Constitution of the State requires that representation in the House of Representatives shall be equal and uniform, for which purpose the said Constitution makes division of the State into Representative Districts, and designates the number of members that each district is entitled to upon the floor of this House; and

Whereas, The Sixth, Eighth, and Ninth Representative Districts of the parish of Orleans, and the parishes of Franklin and Lafayette, are entirely without representation, and the parishes of East Baton Rouge, St. Landry and St. Martin are only partially represented; therefore

Be it resolved, That the Secretary of State be requested to furnish this House with an official copy of the votes cast in said districts and parishes for representatives to the General Assembly, and for whom they were cast, as appears by the returns of the commissioners of election.

Be it further resolved, That the persons receiving the highest number of votes in