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OFFICIAL JOURNAL OF THE UNITED STATES.

OFFICIAL JOURNAL OF THE STATE OF LOUISIANA.

LOUISIANA GENERAL ASSEMBLY.

Proceedings of the Senate and House.

Registration Bill in the House.

RAILROAD BILLS PASSED IN THE SENATE.

Congressional Redistricting Bill Passed

SENATE

Fortieth Day's Session.

FRIDAY, August 14, 1868.

The Senate was called to order by the President at eleven o'clock.

The roll was called; present the following members:

Anderson, Bacon, Beares, Blackman, Boughton, Campbell, Coupland, Darrall, Dey, Egan, Foute, François, Futch, Jenks, Jewell, P. L. Jewell, Kelso, Lewis, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Pollard, Ray, Thompson, Todd, Wallace, Whitney, Wilcox, Williams, Wittenstein—33.

Prayer by the Chaplain, Rev. Mr. Turner.

On motion of Mr. Jenks, the reading of the minutes was dispensed with.

REPORTS OF STANDING COMMITTEES.

Mr. Campbell, from the Committee on Corporations and Parochial Affairs, reported back relative to the collection of taxes, with the recommendation that it be referred to the Committee on Judiciary.

The bill was referred.

Mr. Ray, from the Committee on Judiciary, reported a substitute for Senate bill No. 9, an act to provide for the trial of jury cases in the parish of Orleans, and fixing the Seventh District Court for the trial of jury cases.

Also favorably upon House bill 95, an act providing a remedy against the unlawful holding of a public office or franchise in the State.

Mr. Ray, from the Committee on Internal Improvements, reported favorably upon House bill No. 56, an act relative to the New Orleans, Mobile, and Chattanooga railroad company.

Mr. Kelso, from the Committee on Claims, reported favorably upon Senate bill 38, an act for the relief of J. Edmonston; and recommended the passage of the act.

Lies over.

Under a suspension of the rules, Mr. Ray introduced an act fixing the time for holding the term of Court in the Twelfth Judicial District, which, under further suspension of the rules, passed its second and third readings, and was finally adopted. The bill was then adopted.

Mr. O'Hara presented a protest against the action of the majority of the Senate in the contested election cases of Messrs. Boughton, Foute, and Ogden, and asked that it be spread upon the minutes.

The protest was read.

Mr. O'Hara moved that it be spread upon the minutes.

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

The President: By a motion on Wednesday last Messrs. O'Hara and Campbell were allowed to spread their protests upon the minutes. It is not conceive that the protest amounts to anything at all.

Mr. Anderson: Mr. President, I hope the gentlemen will have the privilege of spreading their protests upon the journals. I thought that had been granted. But I also read the language of the protest would be inspectful to the members of this body. I think the language there used, sir, is disrespectful to many members. Therefore I hope it will be rejected.

Mr. Campbell: I will ask the Senator whether he refers to the protest I offered?

Mr. Anderson: No, sir; I referred to the last read.

Mr. Wittgenstein moved that the protest be returned to its author, and not received and made respectful in its language.

Mr. Campbell: There have been several protests spread upon the minutes which are severe in their language, but it was allowed by Senators on both sides that as a matter of privilege such a request should be granted unless the language was exceedingly censurable.

Mr. Poindexter said as no one was responsible for what was contained in the protest but the gentleman who introduced it he thought there would be nothing wrong in allowing it to be spread upon the journal.

Mr. Jenks: Mr. President, I have other objections to the protest besides its being disrespectful in language. It contains a direct falsehood in that it states that the question of fraud was inquired into by the committee; whereas the facts are that by a resolution of this body the committee was directed to inquire into the question of eligibility alone. It is evident that the Senator who presents the protest is not the author of it, as it exceeds his own powers of expression.

Mr. O'Hara: I do not say the committee acted on the question of fraud, but there was fraud. I hope the protest will either be laid upon the minutes or returned as it is. If not published here I can get it published elsewhere.

Mr. Jenks: I agree with the Senator that there are other places better adapted for aggregate than the journal of this Senate.

Mr. Wilcox: I would say that I have no objection to a proper protest being spread on the journal, when a Senator is content to confine himself to the facts, and to them in proper language, and does not make charges and insults upon members of the Senate who see fit to vote differently from what he does. But I certainly object to any such protest as this. No man can say that I was guilty of collusion or bribery, was influenced by any improper motive in my vote.

I second the motion of Mr. Wittgenstein that the protest be returned.

Mr. Todd called for the reading of the protest. Protest read.

Mr. Todd: I am opposed, sir, to spreading such vituperative language upon the journal. If I want to attack a man's veracity I will go into the street. The gentleman knows very well that I would answer a charge made anywhere else than here with a blow.

Mr. O'Hara: I have nothing to do with a boxer, prize fighter, or duelist anywhere.

The yeas and nays were ordered on Mr. Wittgenstein's motion, resulting:

YEAS—Anderson, Blackman, Coupland, Darrall, Jenks, Jewell, E. L. Jewell, P. L. Jewell, Offutt, Ogden, Packard, Ray, White, Wilcox, Williams, Wittgenstein—16.

NAYS—Campbell, Darrall, Dey, François, Kelso, Lewis, Monette, Poindexter, Pollard, Wilson—10.

So the protest was returned to Senator O'Hara.

Mr. Wilcox offered the following resolution:

Resolved, That a vote of censure be passed on Senator O'Hara for attempting to spread upon the journal of the Senate a protest which we conceive to be disrespectful to the members of this honorable body.

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

The resolution was laid on the table.

Mr. Campbell asked for a suspension of the rules to introduce an act authorizing J. Madison Wells to sue the State of Louisiana.

The rules were suspended, the bill read twice, and referred to the Judiciary Committee.

BILLS ON FIRST READING.

House bill No. 113, an act for the relief of Widows Marie Loupe and Martha Hurst, was read, and lies over under the rules.

House bill No. 114, an act extending protection to laborers in the privilege and exercise of free suffrage, was read.

On motion of Mr. Ray the rules were suspended and the bill read a second time.

SPECIAL ORDER OF THE DAY.

House bill 26, an act making a new division of the State of Louisiana into five Congressional districts, was taken up.

Mr. Ray: This bill, Mr. President, was reported by the Judiciary Committee with an amendment. I think the main reason why this bill is offered at the present time is that the State was districted in 1864, just after the constitution of 1864 was adopted, and at that time a great deal of the territory of the State was within the Confederate lines, and the districts were so arranged as to get the full number of Representatives to which the State had formerly been entitled, and in doing so they were irregularly laid off. Since the State has been restored to the Union, and we have an election for Congressional representatives next fall, it is deemed advisable that the State should be redistricted, in order that the districts may be arranged as nearly as possible in the proportion of the population and the territory.

Mr. Ray moved that the bill be engrossed for its third reading.

Mr. Blackman: Mr. President, so far as the change in the Congressional Districts is concerned, I can not see the object at this time; there has been no census since 1860, and we have no sufficient data upon which to base our calculations in redistricting the State.

You might make the Congressional Districts no more even in point of numerical strength that they are now. I therefore, think the action of the Senator in this respect is premature.

Mr. Ray: I think, Mr. President, that if the Senator will look at it properly, he will see that it is necessary to change the districts now. I did not make the calculation with regard to population, but it was made by my friend Mr. Lynch, who made the calculation from the best data that was available, so that it will be in proportion to the population, and such portion of the State as have common interests will be thrown together. As it will be two or three years hence before a census of the United States will be taken, and there will be two or three sessions of Congress before the State can be redistricted upon the basis of that census, I think it is proper to take this action now. I apprehend that so far as political influences are concerned it will make no difference, or if any, I am told, that it will be in favor of the Democratic party. However, I do not mention that consideration as having any weight, but I think that it is proper and necessary that the State should be redistricted before another election. I think with this explanation that my friend from Claiborne will not persist in his objections.

Mr. Ray renewed his motion that the bill be considered engrossed.

Seconded by Mr. Jewell, of Orleans.

Mr. Whitney: Some districts near the city having a population of 100,000 are by the old schedule entitled to a representative; this bill equalizes the districts, so that there will be an average of 140,500 for each district.

The motion to consider the bill engrossed was adopted.

Mr. Ray moved that the bill pass.

The bill was passed on a division—yeas 19, nays 6, and the title adopted.

LOCAL BILLS.

House bill No. 23, joint resolution relative to recounting of ballots cast in the election on the seventeenth and eighteenth of April, 1868, in the city of New Orleans, was taken up.

On motion of Mr. Ray the bill was laid on the table subject to call.

Senate bill No. 6, an act for the relief of the Printers of the late Convention.

On motion of Mr. Ray the further consideration of the bill was indefinitely postponed.

Senate bill No. 52, an act to amend an act additional to an act relative to the collection of municipal taxes in the city of New Orleans, approved March 17, 1869, and to regulate the collection of said taxes, was taken up and read.

On motion of Mr. Bacon the bill was ordered to be printed, and was made the special order of the day for Wednesday next.

Senate bill No. 103, an act to amend the first section of an act entitled an act to incorporate the town of Monroe in the parish of Ouachita, and to provide for the government of the same, approved March 13, 1866, was taken up, and on motion of Mr. Ray recommitted to the Committee on the Judiciary.

Senate bill No. 21, an act for the relief of William Pearson, of Union parish, was taken up and read.

On motion of Mr. Ray the rules were suspended, the bill put on its third reading, and adopted with its title.

Senate bill No. 54, an act giving jurisdiction to the Third, Fourth, Fifth, Sixth, and Seventh District Courts to try certain cases, reported favorably upon by the Judiciary Committee.

On motion of Mr. Ray the bill was considered engrossed, the rules suspended for a third reading, and the bill finally adopted with its title.

Senate bill No. 27, an act for the relief of Charles O. Hardy and A. F. Wrotnowsky, reported favorably upon by the Committee on Claims, was taken up and read.

On motion of Mr. O'Hara it was considered, the rules suspended for a third reading, and the bill read and finally adopted with its title.

Senate bill No. 62, an act relative to the tutorship of the minor children of R. W. and L. L. Godwin, deceased, reported favorably upon by the Judiciary Committee, was taken up and read.

On motion of Mr. Ray the bill was considered engrossed, the rules suspended for a third reading, and the bill finally adopted with its title.

Senate bill No. 69, an act granting to Gabriele Mullen the exclusive right to build a toll bridge across the Amite river, reported favorably upon by the Committee on Corporations, was taken up and informally passed over for the time being.

Subsequently the bill was on motion of Mr. Thompson, of St. Helena, considered engrossed, the rules suspended for a third reading, the bill finally passed, and its title adopted.

Senate bill No. 116, an act to amend the charter of the city of New Iberia was taken up and read.

On motion of Mr. Ray the bill was considered engrossed, the rules suspended for a third reading, and finally adopted with its title.

Senate bill No. 115, an act to incorporate Vigilant Fire Company No. 1. of the town of New Iberia, was taken up.

On motion of Mr. Ray the bill was laid on the table, subject to call.

Senate bill No. 64, an act to incorporate the North Louisiana and Texas Railroad Company, favorably reported by the Committee on Internal Improvements, was taken up.

On motion of Mr. Blackman the bill was taken up section by section.

Sections one to twenty-three inclusive were read and adopted.

On motion of Mr. Blackman the bill was considered engrossed, under a suspension of the rules, read a third time, and finally adopted with its title.

Senate bill No. 104, an act to provide pensions for the veterans of 1814-15, according to the requirements of article one hundred and twenty-four of the constitution of 1868, was taken up.

On motion of Mr. Ray the blank was filled up with "$150" (a year.)

On motion of Mr. Ray the bill was considered engrossed, the rules suspended for a third reading, and the bill finally adopted with its title.

House bill No. 142, an act to re-establish the burnt records of the parish of Winn, was taken up, and on motion of Mr. Ray recommitted to the Committee on Judiciary.

Under a suspension of the rules, Mr. O'Hara presented the report of the Committee on Claims, reporting favorably upon Senate bill No. 38—an act for the relief of G. Edmonston.

The President appointed as members of the Joint Committee on the part of the Senate, to examine into the accounts of the Board of Registration, Senators Jenks and Futch.

Senate bill No. 89, an act relative to the inspection of weights and measures in that portion of the parish of Orleans situated on the right bank of the river Mississippi, was taken up.

On motion of Mr. Packard the bill was made the special order of the day for Saturday the fourteenth instant.

Mr. Ray called up House bill No. 56—an act relative to the New Orleans, Mobile, and Chattanooga Railroad Company.

On motion of Mr. Ray the bill was taken up section by section.

Sections one to fourteen inclusive were taken up and adopted.

On motion of Mr. Ray the bill was considered engrossed, the rules suspended for a third reading, and the bill finally adopted with its title.

The following is the bill as passed:

An act relative to the New Orleans, Mobile, and Chattanooga Railroad Company, a corporation of the State of Alabama, and authorizing and empowering said company to exercise and enjoy its corporate powers and franchises in the State of Louisiana.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the New Orleans, Mobile, and Chattanooga Railroad Company, a corporation incorporated, organized, and existing under and by virtue of its act of incorporation duly enacted by the Legislature of the State of Alabama, entitled an act to incorporate the New Orleans, Mobile, and Chattanooga Railroad Company, approved November 23, 1866, and amended by an act approved February 12, 1867, is hereby recognized and approved as a body politic and corporate, with all the powers, privileges, rights, and franchises granted to it by the said State of Alabama, in and by said act of incorporation, hereby adopting, confirming, and approving all the provisions of said act of incorporation granted to said company, so far as the same may be applicable to this State, and may be adopted, approved, and confirmed thereby. The said company is hereby invested with the powers, privileges, and franchises granted to it in its said act of incorporation, and is empowered and authorized to exercise and enjoy the same in the State of Louisiana, and to have, exercise, and enjoy all the rights, powers, privileges, and franchises pertaining to corporate bodies within the said State of Louisiana necessary for the full enjoyment and exercise of said rights, powers, privileges, and franchises granted and secured to it by its said act of incorporation, and necessary to secure, attain, and accomplish the objects and purposes of its incorporation, in the same manner and with the like power and effect as if said company had been incorporated by virtue of any grant or law of this State, subject only to the conditions, provisions, and restrictions of this act as hereinafter set forth.

SEC. 2. Be it further enacted, etc., That to enable said company to accomplish the purposes and objects of its incorporation, its principal office and place of business in the State of Louisiana is hereby granted, the said company is hereby empowered and authorized:

First—To locate, construct, and build, and thereafter to own, maintain, and use, by running thereon its engines, cars, and trains of cars, a railroad, with one or more tracks and suitable turnouts from any point between Calliope and Girod streets and between Delta street and the Levee in the city of New Orleans, along and upon the Levee in said city, or along and upon a street or streets near the levee, as may be deemed most proper and expedient (provided, that the grounds and buildings now owned by the Pontchartrain Railroad company or any other railroad company between Girod, Poydras, Delta, and Water streets, shall not in any manner be interfered with), to a point at or near the junction of the Levee and Spain street, thence by a curved line to Enghein street; thence along and upon Enghein street and Lafayette Avenue to Claiborne street, and thence upon such a course or route as may be deemed by a majority of the directors of said company most proper, expedient, or necessary, and best adapted for the public accommodation, to any point on the line between the State of Louisiana and the State of Mississippi, and thence extending the same through the States of Mississippi and Alabama to the city of Mobile, in the State of Alabama, and such other places, as provided in said act of incorporation. Provided, That in the construction of that part of said railroad and the tracks and turnouts thereof between Calliope street and Claiborne street the said company shall not in any manner obstruct or impair the drainage of the streets along, upon, or across which the said part of said railroad is hereby located, and that the said company shall at all times in the construction and maintenance of the said part of said railroad, conform with the levels and grades to be established by the City Surveyor of New Orleans; and whenever the company shall find it necessary to cover the channel of any drain, the sides thereof shall be first protected with bricks or wood in a good and substantial manner, and such covered channel shall be kept in repair, open and clear for the passage of water, by said company; and the said part of said railroad shall be so constructed and maintained as not to in any manner unnecessarily impair the usefulness of any street, or impede the traffic thereon.

Second—To locate, construct, and build, and thereafter to own, maintain, manage, and use, by running thereon its engines, cars, and trains of cars, and railroads, with one or more tracks and suitable turnouts, from a point on Rampart street, between Lafayette street and Girod street, in the City of New Orleans, across, along, and upon intervening streets and grounds, to Locust street; thence across, along, and upon intervening streets and grounds, in such a course as may be deemed necessary by a majority of the directors of said company, to the neutral ground in the centre of Claiborne street; thence along and upon the central portion of said neutral ground in the centre of Claiborne street to St. Bernard avenue; thence in a direct line with Claiborne street to the line of Lafayette avenue, and thence upon such a course or route as may be deemed by a majority of the directors of said company most proper, expedient or necessary, and best adapted for the public accommodation (to any point on the line of railroad hereinbefore authorized, between the junction of Lafayette avenue with Claiborne street and the said line and the State line), and thence along said line of railroad), to any point on the line between the State of Louisiana and the State of Mississippi, and thence extending the same through the States of Mississippi and Alabama to the city of Mobile, in the State of Alabama; and thence to other places, as provided in said act of incorporation. (And the said company may, if it shall be deemed by a majority of its directors expedient and necessary for its interests, locate, construct, maintain, and use, as hereinbefore designated, a railroad, with one or more tracks, and necessary turnouts, from the junction of Claiborne street and St. Bernard avenue, along the central portion of the neutral ground in the centre of Claiborne street to Elysian Fields street; and thence easterly by such a course as may be deemed proper and expedient by a majority of the directors of the company, to a junction with the line of railroad hereinbefore authorized, and southerly along and upon Elysian Fields street to the levee line hereinbefore authorized.) And the said company may locate, construct, and build, and thereafter own, maintain, manage, and use, by running thereon its cars drawn by the power of horses or mules, a railroad with one track upon and along Girod street, from Liberty street to the Mississippi river, with necessary turnouts, to and from a freight depot located on any grounds near the river which the said company may acquire for the purpose; but in the construction of such railroad in Girod street, and the turnouts thereof, only such iron rails shall be used as shall least impede the traffic of the streets, and such as shall be approved by the City Surveyor. And the said company may locate, construct, and thereafter maintain and use, for the safe and convenient transaction of its business, a passenger depot and a freight depot, and other structures, as it may deem necessary for its business and purposes, upon the three blocks of ground bounded by Girod street, Liberty street, Lafayette street, and Rampart street, in the city of New Orleans; and may close and occupy for such purpose that portion of Franklin street, and that portion of Basin street lying between Girod street and Lafayette street, in said city; and the said company may include for its business and purposes the three blocks of ground bounded by Perdido street, Locust street, Lafayette street, and Liberty street, in said city; and may close and occupy for its business and purposes that portion of Freret street, and that portion of Howard street lying between Perdido street and Lafayette street, and that portion of Perdido street lying between Liberty street and Locust street, in said city of New Orleans. Provided, However, That the said company shall, before constructing said depots, acquire the title to all private property to be occupied and used therefor, by purchase or in accordance with the provisions of this act.

And provided further, That the said company shall, for its crossing of Carondelet canal, construct and maintain a drawbridge adapted and suitable for its own use, and the free use of the public, and the passage of carriages and vehicles, which, when open, shall give a clear space for the passage of vessels of not less than fifty (50) feet in width, and such drawbridge of the construction of said drawbridge, shall at all times thereafter provide that said drawbridge shall be opened for the passage of any and all vessels seeking to pass through the same, without unnecessary delay, and to keep the same always in repair and good order for the aforesaid use of the public.

And provided further, That in the construction of that part of said railroad, and the tracks and turnouts thereof, between the levee and Elysian Fields street the said company shall not, in any manner, obstruct or impair the drainage of the streets along, upon, or across which the said railroad is hereby located, and that the said company shall at all times in the construction and maintenance of the said part of said railroad, conform with the levels and grades to be established by the City Surveyor of New Orleans; and whenever the said company shall find it necessary to cover the channel of any drain, the sides thereof shall be first protected with bricks or wood in good and substantial manner, and such covered channel shall be kept in repair, open and clear for the passage of water, by said company; and the said part of said railroad shall be so constructed and maintained as not to in any manner unnecessarily impair the usefulness of any street, or impede the traffic thereon.

Third—To construct and build, and thereafter to own, maintain, manage, and use, by running thereon its engines, cars, and trains of cars, a railroad, with one or more tracks and suitable turnouts, upon such a course or route as may be deemed by a majority of the directors of said company most proper, expedient, or necessary, and best adapted for the public accommodation, and most for the interest of said company, from its terminus, as hereinbefore designated, on or near the levee, in the city of New Orleans in the State of Louisiana, toward and to any point on the line between the State of Louisiana and the State of Texas. Provided, however, that the part of the said railroad within the corporate limits of the city of New Orleans shall be located and built upon and along the levee, or upon and along a street or streets near the levee, unless otherwise authorized by the municipal council of the said city of New Orleans. And provided further, that the crossing of the Mississippi river, unless otherwise authorized hereafter, shall be by means of a ferryboat of suitable construction for the transfer of engines, cars, and trains of cars.

Fourth—To construct, establish, or purchase in the State of Louisiana, and thereafter to own, maintain, and use suitable wharves, piers, warehouses, steamboats, harbors, depots, stations, and other works and appurtenances connected with and incidental to said railroad and the business of said company, and by the directors of said company deemed necessary and expedient for said company to own and manage.

Fifth—To take, transport, carry, and convey persons and property upon its said railroads and its boats, by power of steam or any other power, and to receive for the same such tolls and charges as shall be established by the directors of said company.

Sixth—To obtain and receive by purchase, grant, gift, devise, and bequest, and to have and to hold real and personal estate in the State of Louisiana for the objects, purposes, and business of said company, and to extent provided and set forth in its said act of incorporation and in this act, excepting that in the taking and holding of lands for the use of said company, as lands taken for public use, the said company shall take and obtain the same as in this act provided.

Seventh—To lay out its said railroads and to construct the same not exceeding two hundred feet in width upon any lands of the State of Louisiana, and to take, hold, and use for the purpose of necessary depots, stations, cuttings, turnouts, and for obtaining stone, gravel, earth, and timber for the construction of its said railroad, and lands of the State of Louisiana lying along or upon or adjacent to the route or course of said railroad that may be necessary for the construction, maintenance, and security of said railroad; Provided, however, that any and all damages that may be occasioned or that may arise to any person, corporation, or association other than the State of Louisiana by the taking and using of such lands and material for the use of said company as aforesaid, shall be assessed and paid for by said company, as provided in this act.

Eighth—To construct and maintain its said railroad or any part of the same, and to have the right of way therefor across or along or upon any waters, water course, river, lake, bay, inlet, street, highway, turnpike, or canal within the State of Louisiana which the course of said railroad may intersect, touch, or cross, provided the said company shall preserve any water course, street, highway, turnpike, or canal which its said railroad may so pass upon, along, intersect, touch, or cross, so as not to impair its usefulness to the public unnecessarily; or if temporarily impaired in and during the construction of said railroad, the said company shall restore the same to its former state, or to such a state that its usefulness and convenience to the public shall not be unnecessarily impaired, or materially impaired or injured; and it is also provided that said company is authorized and empowered to construct and maintain its said railroad over and across the waters of the State of Louisiana, known as the Pass Chef Menteur, Little Rigolet, Great Rigolet, or that part of Lake Pontchartrain east of the west line of Point aux Herbs, and the West Pearl river, and other streams and bayous between Lake Pontchartrain and Pearl river, and Pearl river by bridges; provided, however, that in the channel of that part of Lake Pontchartrain hereinbefore named there shall be constructed and maintained by said company a drawbridge, which, when open, shall give a clear space for the passage of vessels of not less than one hundred feet in width; and in the channel of the Pearl river the said company shall construct and maintain a drawbridge, which, when open, shall give clear space for the passage of vessels of not less than sixty feet in width, except in case the company shall locate their road across the Great Rigolet at a point south of (or below) the principal entrance of Pearl river into the Great Rigolet, when the company shall only be required to construct one drawbridge, which shall be in the channel of the Great Rigolet, as hereinbefore named; and said company, after the construction of the said drawbridges or drawbridge, shall at all times thereafter provide that said drawbridges or drawbridge shall be opened for the passage of any and all vessels seeking to pass through the same, without unnecessary delay. It is also provided that such part of its section as relates to Pearl river, if the line of the road shall be located across the said river at a point where it constitutes the boundary line between the State of Louisiana and the state of Mississippi, shall not take effect until the State of Mississippi has consented to, and authorized the same, or said company has built such a bridge across said Pearl river for its said railroad as shall be in accordance with this section, and also with any authority or power granted to said company by the State of Mississippi in the premises; and such drawbridge may be built in the center of the channel of said Pearl river, or in that portion of the same within the territory of the State of Mississippi or of this State, as most convenient for public use.

Ninth—That the said Company is hereby authorized and empowered to obtain, by grant or otherwise, from any incorporated city or village within the State of Louisiana that may be situated upon its railroad, any rights, privileges, or franchises that any of said incorporated cities or villages may choose to grant in reference to the construction, maintenance, and management of the railroad of said Company, its depots, cars, locomotives, and its business within the limits of such, or any of said incorporated cities and villages; and any such incorporated city or village as herein before named, is hereby authorized and empowered to grant to said Company any such rights, privileges, and franchises as it may deem proper and advisable; and such rights, privileges, and franchises when granted to and accepted by said Company from any such incorporated city or village, shall be deemed and taken as rights, privileges, and franchises granted, confirmed, and vested in said company, and not liable to be hereafter revoked, changed, injured, or impaired, except with the consent of said company, and the rights, privileges, and franchises which have been heretofore granted to said company by the city of New Orleans are hereby recognized, approved, and vested and confirmed in said company, subject to all the benefits and provisions of this act.

SEC. 3. Be it further enacted, etc., That said company, being hereby authorized to purchase, receive, and hold such real estate as may be necessary and convenient in accomplishing the object for which said company is organized, it may, by its agents, surveyors, engineers, and servants, enter upon all lands and tenements through which it may conclude to make such railroads, and survey, lay out, and construct the same, and may agree and contract for the land or right of way, with the owners of the land through which it intends to make said roads. In case said lands belong to the estate of any deceased persons, then with the executor or administrator of such; or in case of the same belonging to a minor, or a person *non compos mentis*, then with his or her guardian, or in case said lands be held by trustees of school sections, or other trustees of estates, then with such trustees. And said executors, administrators, guardians, and trustees, are hereby declared competent for such estate, person, or minor, to contract with said company to use, occupy, and possess the lands of such estates, persons, minors, or trustees, so far as may be useful or necessary for the purposes of said railroad, and the act and deed of such executors, administrators, guardians, or trustees in relation thereto, shall pass a title in such lands in the same manner as if the said deed or act was made or done by a legal owner, of full age and sound mind; and such executor, administrator, guardian, or trustee shall account to those interested in their respective bonds for the amount paid him in pursuance of such agreement and composition; and if the said company and the parties representing lands prefer, they may refer the question of compensation to three arbitrators, mutually chosen, (whose award, or that of their umpire (in case of disagreement), shall vest title according to its terms.

SEC. 4. Be it further enacted, etc., That if said company is unable to agree for the purchase of any real estate, or the right of way, or any other real estate therein required for the use and purposes of said company, as provided in the preceding section, or is unable to obtain the title or right of way therein, it shall have the right to acquire title of the same in the following manner: The said company may apply to the District Court of the parish in which the land—the title wherein is sought—is situated for the appointment of commissioners of appeal, at any general or special term, or to any judge thereof, in vacation; such application shall be made in writing and signed by the president or one of the directors of said company, or by an agent or attorney of said company authorized for that purpose, and substantially set forth and state:

First—It must be entitled so as to describe the court wherein or the judge to whom the application is made, and the character of the application.

Second—The name and official character of the person applying in behalf of the company must be stated.

Third—The real estate which the company seek to acquire must be described by meets and bounds, and the estate therein which the company seeks to acquire must be set forth; and several parcels of land, owned by different persons, may be included in one application.

Fourth—That the company has not been able to acquire the estate in said lands required, and the reason of such inability.

Fifth—The names of all owners or parties interested in said real estate, so far as the same are known to the applicant, must be set forth, and if not known, that fact must

[CONTINUED ON FOURTH PAGE.]

BY TELEGRAPH.

[Dispatches to the Associated Press.]

FROM WASHINGTON

The New Orleans Collectorship.

NUMBER AND NAMES OF APPLICANTS.

A SHOOTING AFFAIR AT THE CAPITOL.

Proceedings of Southern Legislatures.

LATEST NEWS FROM EUROPE.

THE ENGLISH PRESS ON STEVENS' DEATH.

GREAT MILITARY DISPLAY IN PARIS.

The Revolution in South America.

INTERESTING MISCELLANEOUS NEWS.

MARKETS, RIVER NEWS, ETC.

WASHINGTON.

Temporary Appointment for New Orleans Collectorship Can be Made at Once—Sixteen Applicants—Tax Regulations—Shooting Affair and Excitement at Washington.

WASHINGTON, August 14.—It is understood that Secretary Browning said in connection with the McGarrahan and New Idria decision that he could understand why Senator Conness should be active in the matter, as the decision affected his State and constituents, but he was at a loss for the motive which made Senators Stewart and Nye so zealous.

Secretaries Welles, Schofield, and Randall were absent from the Cabinet meeting today.

General Rosecrans leaves next week.

Attorney General Evarts decides that temporary appointments for the New Orleans Collectorship and Alaska offices can be made at once. There are sixteen applicants for the New Orleans Collectorship.

Secretary Seward's trip has improved his health.

It is stated that Mr. Rollins, at the earnest solicitation of prominent Republicans, has determined to retain the Revenue Commissionership until after the election.

Internal revenue receipts to-day $415,000.

Rev. Mr. Girley formerly Chaplain of the Senate, is seriously ill at Clifton Springs.

The regulations concerning the tax on tobacco, snuff and cigars, issued to-day, cover forty-two pamphlet pages. Tobacco bonded before July 20 may be withdrawn for consumption upon payment of the new tax, and without being repacked. It may be removed for export without payment of the tax or repacking, as under regulations heretofore in force, upon an order from the collector in charge of exports at the port of shipment.

Until stamps are prepared, tobacco and its products must be stamped and branded by a tobacco inspector, under the regulations heretofore prevailing, before being removed for consumption or sale.

A company of Butler's Zouaves marching to relieve the guard over Mr. Stevens, fired a volley down Twenty First street in response to a stone hurled at them. A colored waiter standing in the door of a residence was shot through the thigh. The *Express* says when they reached the Capitol some disagreement arose between themselves, and they had a regular free fight. The *Star* speaking of the firing and its results says: "A large crowd immediately gathered and for a time there was every prospect of a serious disturbance, but the police on duty, as well as the reserves appearing in force promptly, by surrounding the zouaves checked further proceedings, and when order was restored allowed them to proceed.

The President has recognized Frederick Wilhelm Hanewickle Consul of the North German Confederation at Richmond; Chas. Otto Wille, do., at Charleston; Johannes Kruttschnitt, do., at New Orleans; Enrique Alix Spanish Consul at Key West, and Manuel de Rovera y Albert Vice-Consul of Spain at Savannah, Georgia.

WASHINGTON, August 4.—Stevens' remains, with three passenger car loads of escort left for Lancaster at ten o'clock this morning.

The Secretary of the Interior has decided favorably to McGarrahan, and adversely to the New Idria Quicksilver Company.

This is a hard blow on Senators Stewart, Conness, and Nye, who had been active in the New Idria interest.

The local land officers of California have been instructed to hold the McGarrahan lands out of the market until the further action of Congress.

GEORGIA.

Associate Justices Supreme Court—Speech in Defense of Bradley.

ATLANTA, August 14.—The following gubernatorial nominations have been confirmed by the Senate: Associate Justices of the Supreme Court, H. K. McCay for eight years and Hiram Warner for four years.

HAVANA, August 14.—Sugar, Nos. 10 to 12, 7½@8 reals; Nos. 15 to 20, 8@10; muscovado, fair to good refining dull at 7@7½. Lard firm at 19@20. Hams, salted, 19; smoked, 22. Hoops, long shaved $40 50; short, $50 50.

White pine lumber $30, yellow $28. Sterling exchange, 11@11½ premium. Federal currency, long sight, 31@32; short, 29½@30; gold, long sight, par@¼ premium; short, 1½@2 premium. Freights firmer.

The Washington correspondent of the St. Louis *Democrat* telegraphed this on the eleventh instant:

The instructions given to General Buchanan were prepared by General Schofield with strict regard to Louisiana being as much a legal State government as that of Pennsylvania and Ohio, and were fully approved by the President. The order indicates the course to be pursued in all restored States, and everything will be done here, and insisted upon from the Department commanders at the South, to insure speedy action in case of any trouble. Leading Democrats here are disgusted, affirming that the course taken in the matter strikes directly at one of the main planks in their platform. None of the Democrats here to-day have commented on the order.

The *North and South*, a prominent Democratic journal at Cincinnati, in a late issue, says:

I will venture to say that not merely in Cincinnati, but throughout Ohio, not only in Ohio, but everywhere west of the mountains, the coolness with which the nomination of Mr. Seymour was received by the members of his party has no parallel in American political history. There are very few who are not more than dissatisfied; they are disgusted with the candidate; disgusted with the palpable trickery of himself and his supporters in New York; disgusted with the rampant stupidity of the Democratic leaders of Ohio, whose folly came in as the appropriate complement to the other's knavery."

courraged dies with him. He was a fanatical, bitter, and self-willed man, but not mean or deceitful. He is the last of the leading Americans who had the courage to rise above partisanship."

The *Morning Telegraph* has the following: "Stevens was neither good, wise, nor generous, but in his time did signal service, and with all his faults, he merits the famous phrase, 'That was a man.'"

The daily *Evening News* concludes: "The death of Mr. Stevens leaves no important place unfilled either in the test of his party or in the councils of the nation."

LISBON, August 14.—The mail steamer from Rio Janeiro, July 12, has arrived. War news unimportant. The Paraguayans had attacked the Brazilian ironclads, but were driven off.

PARIS, August 14.—A magnificent military display took place to-day. The National and Imperial Guard were reviewed by the Emperor, Empress, and Prince. Fifty-two battalions passed in review. The city was gaily decked, and vast multitudes thronged the streets, whose enthusiasm was unbounded. The royal family were loudly cheered.

NEW YORK.

Cigar Smuggling Broken Up.

NEW YORK, August 14.—The customhouse officers have broken up the system of smuggling cigars from the Havana steamers. They seized the sloop Four Brothers. The hold of the vessel was found filled with cigar boxes sewed up in canvas bags.

SOUTH AMERICA.

Revolutions and Counter Revolutions.

NEW YORK, August 14.—The following miscellaneous news is from the *Herald's* Panama letter of August 3:

Chiriqui is the only department that remained in rebellion against General Ponce, and it only awaited his arrival with his forces to tender its submission. During General Ponce's absence Colonel Corraso was appointed to act as military governor, and having secured all the war munitions and command of the militia, he is expected soon to commence a counter revolution against Ponce for the purpose of obtaining the Presidency himself.

Mosquera is expected to come back from Peru soon and declare himself Dictator, when Corraso, who is probably working under orders, will be ready to assist him.

Peace prevailed in Guatemala.

The report that yellow fever had broken out in San Salvador was contradicted. It had diminished in Rivas, Nicaragua.

The treaty between the United States and Nicaragua had been approved and exchanged.

MISCELLANEOUS.

Arrests in Canada for Complicity in Indiana Express Robberies.

TORONTO, C. W., August 14.—Sixteen men were arrested here to-day for alleged complicity in the Indiana express robberies.

ST. LOUIS, August 14.—Two men rented a house near the express office and had a package sent to them, purporting to contain a large amount of money. The messenger who delivered the package was knocked senseless, chloroformed, and robbed of seven thousand dollars. The robbers escaped.

River Intelligence.

SOUTHWEST PASS, August 14, 6 P. M.—Barometer 29.60. Wind east and light. Arrived steamship W. G. Hewes, Tripp, from Galveston, to C. A. Whitney & Co. No departures.

LOUISVILLE, August 14.—River falling fast, with four feet eight inches in the canal. Weather clear and pleasant.

ST. LOUIS, August 14.—The river is getting quite low.

MARKETS.

Domestic Markets.

NEW YORK, August 14, Afternoon.—Cotton less active and prices unchanged; sales 850 bales. Flour steady; moderate business done; superfine $7 40@8 25; common to fair extra Southern $9 50@10 60. Wheat dull and declinable; white State $2 02@2 05. Corn active at le. advance, and closed quiet; mixed Western $1 14@1 18; white Western $1 25. Oats dull and declining. Mess pork lower, $28 50@28 75. Lard quiet; kettle 19@19½c. Whisky easier. Groceries dull. Freights lower; corn 4d.

Money firmer; governments heavy, and declined in some cases fully a cent; old 114¼@114¾; new 108¾; 10 40's 108¾. Sterling quiet, 109@109½. Gold lower—closed at 147. Border bonds heavy and lower.

NEW YORK, August 14, Evening.—Money generally easy on governments and 5 on stocks. Discounts firmer. Very little doing under 7 ¾ cent for prime paper. Railways heavy.

Sub treasury balance $84,000,000.

CINCINNATI, August 17.—Family flour $10@10 25. Wheat $2@2 10. Corn 83@87c. Oats 55@60c. Whisky in bond 70c. Pork $28 75@29. Bulk meats, shoulders 12½c.; sides 14½c. Bacon shoulders 13½@13¾c.; clear rib sides 16½c.; clear sides 17½c. Lard 19½@20c. Whisky, free, $1 35.

Foreign Markets.

LIVERPOOL, August 14, Evening.—Cotton firmer, and more active, but not quotably higher: Sales 15,000 bales. Corn easier. Mess pork dull. Bacon advanced to 40s. 6d.

HAVANA, August 14.—Sugar, Nos. 10 to 12, 7½@8 reals; Nos. 15 to 20, 8@10