

New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES OFFICIAL JOURNAL OF THE STATE OF LOUISIANA OFFICIAL PROCEEDINGS OF THE GENERAL ASSEMBLY OF THE STATE OF LOUISIANA. EXTRA SESSION.

JOURNAL OF THE SENATE Sixth Day's Session. SENATE CHAMBER, Saturday, March 12, 1870.

The Senate met pursuant to adjournment. Present: Honorable O. J. Dunn, Lieutenant-Governor and President of the Senate, Messrs. Anderson, Antoine, Bacon, Beards, Blackman, Braughn, Campbell, Copland, Darrall, Day, Egan, Futch, Jenks, Jewell, Kelso, Lewis, Lynch, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—33.

Prayer by the Chaplain, Rev. John Turner. The reading of the minutes of the previous day's session was dispensed with. REPORTS OF COMMITTEES.

Mr. Lewis, from the Committee on Charitable Institutions, submitted a written report, which was ordered printed. Under a suspension of the rules the following petitions and memorials were introduced:

Mr. Wilcox presented a memorial from the citizens of Pointe Coupee praying for the removal of the Courthouse, etc., which was received and referred to the Committee on Corporations and Parochial Affairs.

Mr. Todd presented the petition of A. F. Tervalon. Received and referred to the Committee on Lands and Levees.

Mr. Smith, under a suspension of the rules, called up from second reading file Senate bill No. 178, "Regulating places of public entertainments."

Which was read second time and ordered engrossed for a third reading. The constitutional rule was then suspended by a four-fifths affirmative vote, the bill read its third and last time and finally adopted with its title.

Mr. Jenks, under a suspension of the rules, called up House bill No. 186, "Granting ferry privileges to T. R. Verbois, his heirs or assigns, across the Mississippi river at the town of Plaquemines, in the parish of Iberville, State of Louisiana," from second reading file.

Mr. Jenks moved to strike out section four. Adopted. The bill was then adopted on its second reading as amended.

The constitutional rule was then suspended by four-fifths affirmative vote, the bill read its third and last time, and finally adopted with its title.

Under a suspension of the rules, the following bills were called up: By Mr. Bacon—House bill No. 205, "An act to amend an act entitled an act to incorporate the town of Covington, parish of St. Tammany," (from first reading file), which was read its first time.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill read its second time.

The constitutional rule was further suspended by a four-fifths affirmative vote, the bill read its third and last time, and finally adopted with its title.

Mr. Wittgenstein asked a suspension of the rules to call up Senate bill No. 17, file of 1868, "For the relief of William Denniston Sanger and Oliver D. Russell, remaining copartners of and successors to the firm of Andrew Friam & Co."

Mr. Campbell asked for the reading of the bill. The Chair (Mr. Jenks in the chair) decided that the bill could not be read, as there was nothing before the Senate.

Mr. Campbell appealed from the decision of the Chair. The Chair was sustained by the following vote: Yeas: Antoine, Beards, Blackman, Braughn, Copland, Darrall, Day, Egan, Futch, Jewell, Kelso, Lewis, Lynch, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—29.

Nays: Bacon, Campbell, Foute, Lynch, Monette, Packard—6. The Senate refused to suspend the rules to take up the bill, two-thirds of the members present not voting in the affirmative, by the following vote:

Yeas: Antoine, Beards, Braughn, Jenks, Monette, O'Gden, Poindecker, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—14.

Nays: Bacon, Blackman, Campbell, Copland, Darrall, Day, Egan, Futch, Jewell, Kelso, Lynch, Packard, Ray—14.

Mr. Wittgenstein asked a suspension of the rules to take up House bill No. 126 (dredging bill). The rules were suspended by the following vote, two-thirds of the members present voting in the affirmative:

Yeas: Anderson, Antoine, Beards, Braughn, Campbell, Foute, Jenks, Kelso, Monette, O'Gden, Packard, Poindecker, Pollard, Ray, Smith, Todd, Whitney, Wilcox, Williams, Wittgenstein—21.

Nays: Bacon, Copland, Darrall, Day, Egan, Futch, Jewell, Lynch—9. The bill was then adopted:

Mr. Blackman submitted the following report to the Honorable President and Members of the Senate: The undersigned, a member of the Committee on Public Lands and Levees, to whom was referred House bill No. 69, in reference to the construction and maintenance of the levees, etc., would respectfully submit the following report:

That sections two, three and four, referring to the law in force prior to the first day of January, 1865, and conferring certain powers and privileges on said company, in accordance with those laws are unconstitutional, under article one hundred and fifteen, which states that no law shall be revived or amended by reference to its title, etc. All laws referred to prior to first day of January, 1865, have been repealed by act No. 59, 1865. There are many amendments which I have made in the body of the bill, but for the unconstitutional features of the first three sections, and which would change the whole bill, I have been unable to proceed further in the investigation of the act.

Respectfully, W. F. BLACKMAN. Mr. Day: I rise to a question of privilege. I am informed—in fact I know—that the Lieutenant Governor is very sick, not able to fulfill the duties of his office. In the constitution it is provided (article fifty-five) that when he (the Lieutenant Governor) shall be unable to attend as President of the Senate, the Senators shall elect one of their own members as President of the Senate for the time being.

Mr. Wittgenstein: I move that the Senate proceed to elect a President pro tempore. Mr. Jenks (in the chair): The Chair will state that he has no official information that the President of the Senate is ill. The Chair will, however, entertain the motion. The motion to proceed to the election of a temporary chairman was adopted.

Mr. Wittgenstein nominated Mr. Jenks. Mr. Todd nominated Mr. Anderson. Nominations were closed.

Mr. Jenks, in the chair: The Secretary will call the roll. The roll being called, the vote stood as follows: For Senator Jenks: Anderson, Bacon, Beards, Blackman, Braughn, Campbell, Copland, Darrall, Day, Egan, Futch, Jewell, Kelso, Lynch, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—22.

For Senator Anderson: Antoine, Foute, Jenks, Jewell, Monette, Todd—6. Mr. Jenks (in the chair): It is somewhat embarrassing for the Chair to announce the vote so flattering to myself. I thank the Senate for the honor conferred upon me, and if I had not been taken so completely by surprise I might have said something more appropriate to the occasion.

On motion of Mr. Anderson the election of Senator Jenks as temporary chairman was declared unanimous. Mr. Packard: I move that the President pro tempore, just elected, be allowed to vote on all questions.

Mr. Smith: I rise to the point of order that the Senator elected President pro tempore has constitutionally the right to vote on all questions without any motion to that effect. The President pro tempore decided the point well taken, for the reason that the constitutional provision is that the Lieutenant Governor, when acting as the President of the Senate, shall vote in case of a tie, by virtue of his office, but a Senator elected to fill that position temporarily does not hold it by virtue of his office, and is entitled to his vote on all questions. In case of a vote upon any question, it is lost.

Mr. Bacon: I move to reconsider the vote by which the Senate adhered to its amendments, and now I move to lay that motion on the table. The Senate refused to lay the motion to reconsider on the table by the following vote: Yeas: Anderson, Braughn, Day, Egan, Futch, Jewell, O'Gden, Packard, Smith, Todd, Whitney—11.

Nays: Bacon, Beards, Campbell, Copland, Foute, Kelso, Lewis, Monette, O'Hara, Poindecker, Pollard, Ray, Wilcox, Williams, Wittgenstein—16. Mr. Wittgenstein: I call the previous question on the motion to reconsider.

The main question was ordered by the following vote: Yeas: Beards, Campbell, Copland, Darrall, Foute, Kelso, Lewis, Monette, O'Hara, Poindecker, Pollard, Ray, Wilcox, Williams, Wittgenstein—16.

Nays: Bacon, Braughn, Day, Egan, Futch, Jewell, O'Gden, Packard, Smith, Todd, Whitney—12. The motion to reconsider was then adopted by the following vote: Yeas: Anderson, Bacon, Beards, Campbell, Copland, Darrall, Foute, Kelso, Lewis, Monette, O'Hara, Poindecker, Pollard, Ray, Wilcox, Williams, Wittgenstein—18.

Nays: Blackman, Braughn, Day, Egan, Futch, Jewell, Lynch, O'Gden, Packard, Ray, Smith, Thompson, Todd, Whitney—13. Mr. Smith: I move we do now adjourn. Lost, by the following vote: Yeas: Blackman, Braughn, Day, Egan, Futch, Jewell, O'Gden, Smith, Thompson, Whitney—10.

Nays: Anderson, Bacon, Beards, Campbell, Copland, Darrall, Foute, Kelso, Lewis, Monette, O'Hara, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—20. Mr. Wittgenstein: I move that the report of the Committee of Conference on House bill No. 132 be adopted, and that the amendments reported by said committee be adopted.

Mr. Wilcox: I call the previous question. Mr. Packard: Mr. President, I have an amendment to offer to that motion, which I send to the desk. Mr. Blackman having obtained the floor before the amendment of Mr. Packard was read, offered that amendment, viz: "That the Senate adhere to its amendment in section two."

Mr. O'Hara: I rise to the point of order that it is not the province of the Senator from Claiborne to offer an amendment for another Senator; it must be in his own name. The President pro tempore decided the point not well taken.

Mr. Bacon: I rise to the point of order that the motion pending is that of the Senator from the Second District, Mr. Campbell. The President pro tempore: The point is well taken; that motion was pending when the substitute of Senator Smith, (which has been disposed of) was offered.

Mr. Campbell, by unanimous consent, withdrew his motion. Mr. Bacon: I rise to the point of order that we have only decided to reconsider the vote by which Senator Smith's substitute was adopted. We have not yet reconsidered it. The question should now be upon that substitute.

The President pro tempore decided the point not well taken, and that by reconsidering the Senate had reversed its action upon the substitute of Mr. Smith. Mr. Poindecker: I rise to the point of order, that the amendment of Senator Packard, which was offered by Senator Blackman, cannot be entertained, for the reason that it is unparliamentary to amend the report of a Conference Committee—it must either be adopted or rejected.

The President pro tempore decided the point well taken. Mr. Blackman appealed from the decision of the Chair, and the Chair was sustained by the following vote: (The question being, "Shall the decision of the Chair be sustained?") Yeas: Anderson, Bacon, Beards, Braughn, Campbell, Copland, Darrall, Day, Egan, Futch, Jewell, Kelso, Lynch, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—18.

Nays: Bacon, Blackman, Futch, Jewell, Packard, Smith, Todd—7. The motion of Mr. Wittgenstein to adopt the report of the Committee of Conference was then carried by the following vote: Yeas: Anderson, Bacon, Beards, Campbell, Copland, Darrall, Foute, Kelso, Lewis, Monette, O'Hara, Poindecker, Pollard, Ray, Wilcox, Williams, Wittgenstein—20.

Nays: Bacon, Blackman, Futch, Jewell, Packard, Smith, Todd—7. Mr. Wittgenstein moved a reconsideration of the vote last taken, which motion was laid on the table by the following vote: Yeas: Anderson, Bacon, Beards, Campbell, Copland, Darrall, Foute, Kelso, Lewis, Monette, O'Hara, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—20.

Nays: Bacon, Braughn, Egan, Futch, Jewell, Lynch, O'Gden, Packard, Smith, Todd—10. Mr. Wittgenstein moved that the report of the joint committee be received. Mr. Ray: I move that the report of the committee be adopted.

Mr. Campbell moved that the Senate recede from Senate amendments to sections one, two, three, four, thirty-one, thirty-four, thirty-eight, forty-nine, fifty-one and fifty-two. Mr. Todd: I move that that part of the report which refers to the funding of the floating debt be referred to a special committee of the Senators, one from this city, one from Algiers, and one from Jefferson.

Mr. Packard: I move as a substitute that that part of the report be referred to a special committee of three. Mr. Ray: I move the report be received. The President pro tempore: The Chair at first entertained the motion to refer, as having precedence over all others, but on reflecting that the report has not yet been received, will now entertain that motion.

The yeas and nays being ordered, the Chair was sustained by the following vote: Yeas: Bacon, Beards, Braughn, Campbell, Copland, Darrall, Day, Kelso, Lewis, Lynch, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Wilcox, Williams, Wittgenstein—20.

Nays: Bacon, Blackman, Futch, Jewell, Packard, Smith, Todd—7. The report of the committee was then read. Mr. Wittgenstein moved that the report of the joint committee be received.

Mr. Ray: I move that the report of the committee be adopted. Mr. Campbell moved that the Senate recede from Senate amendments to sections one, two, three, four, thirty-one, thirty-four, thirty-eight, forty-nine, fifty-one and fifty-two.

Mr. Todd: I move that that part of the report which refers to the funding of the floating debt be referred to a special committee of the Senators, one from this city, one from Algiers, and one from Jefferson.

Mr. Packard: I move as a substitute that that part of the report be referred to a special committee of three. Mr. Ray: I move the report be received. The President pro tempore: The Chair at first entertained the motion to refer, as having precedence over all others, but on reflecting that the report has not yet been received, will now entertain that motion.

The yeas and nays being ordered, the report was received by the following vote: Yeas: Anderson, Antoine, Bacon, Beards, Braughn, Campbell, Foute, Jenks, Kelso, Monette, O'Gden, Packard, Poindecker, Pollard, Ray, Smith, Todd, Whitney, Wilcox, Williams, Wittgenstein—21.

Nays: Bacon, Copland, Darrall, Day, Egan, Futch, Jewell, Lynch—9. The bill was then adopted:

Mr. Blackman submitted the following report to the Honorable President and Members of the Senate: The undersigned, a member of the Committee on Public Lands and Levees, to whom was referred House bill No. 69, in reference to the construction and maintenance of the levees, etc., would respectfully submit the following report:

That sections two, three and four, referring to the law in force prior to the first day of January, 1865, and conferring certain powers and privileges on said company, in accordance with those laws are unconstitutional, under article one hundred and fifteen, which states that no law shall be revived or amended by reference to its title, etc. All laws referred to prior to first day of January, 1865, have been repealed by act No. 59, 1865. There are many amendments which I have made in the body of the bill, but for the unconstitutional features of the first three sections, and which would change the whole bill, I have been unable to proceed further in the investigation of the act.

Respectfully, W. F. BLACKMAN. Mr. Day: I rise to a question of privilege. I am informed—in fact I know—that the Lieutenant Governor is very sick, not able to fulfill the duties of his office. In the constitution it is provided (article fifty-five) that when he (the Lieutenant Governor) shall be unable to attend as President of the Senate, the Senators shall elect one of their own members as President of the Senate for the time being.

Mr. Wittgenstein: I move that the Senate proceed to elect a President pro tempore. Mr. Jenks (in the chair): The Chair will state that he has no official information that the President of the Senate is ill. The Chair will, however, entertain the motion. The motion to proceed to the election of a temporary chairman was adopted.

Mr. Wittgenstein nominated Mr. Jenks. Mr. Todd nominated Mr. Anderson. Nominations were closed.

Mr. Jenks, in the chair: The Secretary will call the roll. The roll being called, the vote stood as follows: For Senator Jenks: Anderson, Bacon, Beards, Blackman, Braughn, Campbell, Copland, Darrall, Day, Egan, Futch, Jewell, Kelso, Lynch, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—22.

For Senator Anderson: Antoine, Foute, Jenks, Jewell, Monette, Todd—6. Mr. Jenks (in the chair): It is somewhat embarrassing for the Chair to announce the vote so flattering to myself. I thank the Senate for the honor conferred upon me, and if I had not been taken so completely by surprise I might have said something more appropriate to the occasion.

On motion of Mr. Anderson the election of Senator Jenks as temporary chairman was declared unanimous. Mr. Packard: I move that the President pro tempore, just elected, be allowed to vote on all questions.

Mr. Smith: I rise to the point of order that the Senator elected President pro tempore has constitutionally the right to vote on all questions without any motion to that effect. The President pro tempore decided the point well taken, for the reason that the constitutional provision is that the Lieutenant Governor, when acting as the President of the Senate, shall vote in case of a tie, by virtue of his office, but a Senator elected to fill that position temporarily does not hold it by virtue of his office, and is entitled to his vote on all questions. In case of a vote upon any question, it is lost.

Mr. Bacon: I rise to the point of order that we have only decided to reconsider the vote by which Senator Smith's substitute was adopted. We have not yet reconsidered it. The question should now be upon that substitute.

The President pro tempore decided the point not well taken, and that by reconsidering the Senate had reversed its action upon the substitute of Mr. Smith. Mr. Poindecker: I rise to the point of order, that the amendment of Senator Packard, which was offered by Senator Blackman, cannot be entertained, for the reason that it is unparliamentary to amend the report of a Conference Committee—it must either be adopted or rejected.

The President pro tempore decided the point well taken.

Two-thirds of the members voting in the affirmative, as follows: Yeas: Anderson, Beards, Braughn, Campbell, Foute, Kelso, Lewis, Monette, O'Hara, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—18.

Nays: Bacon, Blackman, Darrall, Egan, Futch, Jewell, Lynch, Packard—8. The bill was then taken up from second reading file.

The bill was then taken up section by section. Section one was then read and adopted. Section two was then read and adopted. Section three was then read and adopted. Section four was then read and adopted.

Section five was then read and adopted. Section six was then read and adopted. Section seven was then read and adopted. Section eight was then read and adopted.

Section nine was then read and adopted. Section ten was then read. Mr. Blackman moved to strike out section ten. Which motion was lost by the following vote: Yeas: Blackman, Copland, Darrall, Egan, Futch, Jewell, Lynch, Packard, Poindecker, Pollard, Ray, Wilcox, Williams, Wittgenstein—18.

Nays: Anderson, Antoine, Beards, Braughn, Campbell, Foute, Kelso, Lewis, O'Gden, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—22.

The section was then adopted by the following vote: Yeas: Anderson, Antoine, Beards, Braughn, Campbell, Foute, Lewis, O'Gden, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—20.

Nays: Blackman, Copland, Darrall, Egan, Futch, Jewell, Lynch, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—18.

Section eleven was then read and adopted. Section twelve was then read and adopted. Section thirteen was then read and adopted.

Section fourteen was then read and adopted. Section fifteen was then read and adopted. The bill was then adopted on its second reading by the following vote: Yeas: Anderson, Antoine, Beards, Braughn, Campbell, Foute, Lewis, O'Gden, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—22.

Nays: Bacon, Copland, Darrall, Egan, Futch, Jewell, Lynch, Packard—9. Mr. Copland moved to adjourn. Which the Senate refused.

The resolution was then adopted, and the bill returned to the Secretary's desk. Mr. Copland asked a call of the house. The roll being called, the following Senators responded to their names: Messrs. Antoine, Beards, Campbell, Foute, Jenks, Kelso, Lewis, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—17.

There being no quorum present, and a motion to take a recess until half-past seven o'clock P. M. being adopted, the President (pro tempore) announced that the Senate stood adjourned accordingly.

Evening Session. SENATE CHAMBER, Saturday Evening, March 12, 1870. The Senate met pursuant to adjournment.

Present: Hon. L. B. Jenks, President of the Senate pro tempore, and Messrs. Anderson, Antoine, Bacon, Beards, Blackman, Braughn, Campbell, Copland, Darrall, Day, Egan, Futch, Jewell, Kelso, Lewis, Lynch, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—33.

Mr. Ray asked a suspension of the rules, to take up House bill No. 252, "To aid and assist the Louisiana Petroleum and Sulphur Company," from third reading file. The rules were suspended by the following vote, two-thirds of the members present voting in the affirmative: Yeas: Anderson, Antoine, Beards, Braughn, Campbell, Darrall, Foute, Jenks, Monette, O'Gden, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—22.

Nays: Copland, Egan, Futch, Jewell, Lynch, Packard—8. The bill was then taken up and read its third and last time, and finally adopted by the following vote: Yeas: Anderson, Antoine, Beards, Braughn, Campbell, Foute, Kelso, Lewis, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—21.

Nays: Copland, Darrall, Egan, Futch, Jewell, Lynch, Packard—7. The title was then adopted.

Mr. Wittgenstein asked a suspension of the rules to take up Senate bill No. 161, "An act defining the duties of notaries public and sheriffs in certain cases." The Senate refused to suspend the rules, two-thirds of the members present not voting in the affirmative: Yeas: Antoine, Campbell, Foute, Lewis, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—18.

Nays: Anderson, Beards, Braughn, Campbell, Copland, Darrall, Foute, Kelso, Lewis, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—15.

Mr. Ogden, under a suspension of the rules, called up Senate bill No. 226, "Amending the eleventh and twelfth sections of an act entitled 'An act to incorporate the North Louisiana and Texas Railroad Company,'" etc., (from second reading), was taken up, and amendments of the Finance Committee read as follows: First section—To strike out, in the sixteenth line, the words "twenty thousand dollars," and insert in lieu thereof the words "twelve thousand five hundred dollars." After the word "finished," in line twenty-two, insert, "Provided no part of this aid shall apply to any portion of said road east of the Ouachita river."

To strike out, in line thirty-six, the words "fifteen thousand dollars," and to insert in lieu thereof the words "twelve thousand five hundred dollars." Adopted. The bill was then adopted as amended on its second reading, and ordered engrossed for a third reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill read its third and last time, and finally adopted with its title.

Mr. Packard asked a suspension of the rules to introduce a memorial from the citizens of Orleans, right bank, and "An act to annex a certain portion of the parish of Orleans, right bank, to the parish of Plaquemines."

The rules were suspended by the following vote: Yeas: Anderson, Antoine, Beards, Braughn, Campbell, Copland, Darrall, Egan, Foute, Jenks, Kelso, Lewis, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—25.

Nays: Bacon, Packard—1. The bill read first time. The constitutional rule was then suspended by a four-fifths affirmative vote, the bill put on its second reading, and referred to the Committee on Parochial Affairs, with the memorial.

Mr. Ray moved to take a recess until seven o'clock this evening. Which the Senate refused. Mr. Futch moved to adjourn.

Which the Senate refused by the following vote: Yeas: Anderson, Campbell, Copland, Darrall, Futch, Lynch, Packard, Ray, Smith, Todd, Whitney—11.

Nays: Antoine, Beards, Braughn, Egan, Futch, Jewell, Kelso, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—15.

Mr. Braughn, under a suspension of the rules, called up House bill No. 243, "Joint resolution creating a joint committee of both Houses of the General Assembly to investigate the affairs of the

New Orleans, Opelousas and Great Western Railroad Company" from third reading file. The bill was then adopted on its second reading by the following vote: Yeas: Anderson, Antoine, Beards, Braughn, Campbell, Egan, Futch, Jewell, Kelso, Lewis, Lynch, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—23.

Nays: Copland, Darrall, Egan, Futch—4. The constitutional rule was then suspended by a four-fifths affirmative vote, the joint resolution read its third and last time and finally adopted by the following vote: Yeas: Anderson, Antoine, Beards, Braughn, Campbell, Egan, Futch, Jewell, Kelso, Lewis, Lynch, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—23.

Nays: Copland, Darrall, Futch—4. The title was then adopted.

Mr. Poindecker asked a suspension of the rules to introduce a resolution. The rules were suspended by the following vote: Yeas: Anderson, Antoine, Beards, Braughn, Campbell, Egan, Futch, Jewell, Kelso, Lewis, Lynch, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—23.

Nays: Copland, Darrall, Futch—4. The title was then adopted.

Mr. Poindecker asked a suspension of the rules to introduce a resolution. The rules were suspended by the following vote: Yeas: Anderson, Antoine, Beards, Braughn, Campbell, Egan, Futch, Jewell, Kelso, Lewis, Lynch, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—23.

Nays: Copland, Darrall, Futch—4. The title was then adopted.

Resolved, That the chairman of the Committee on Public Lands and Levees do and he is hereby instructed to return, immediately to the Senate, and place on the Secretary's desk, House bill No. 69.

Mr. Packard offered the following, as a substitute: That the Committee on Public Lands and Levees be authorized to report a substitute to the bill now before them, entitled "The Mississippi Valley Levee Company."

Mr. Wittgenstein moved to lay the substitute on the table. The substitute was ordered to be laid on the table by the following vote: Yeas: Antoine, Beards, Campbell, Kelso, Lewis, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—14.

Nays: Copland, Darrall, Egan, Foute, Futch, Jewell, Lynch, Packard, Pollard—9. Mr. Copland moved to adjourn. Which the Senate refused.

The resolution was then adopted, and the bill returned to the Secretary's desk. Mr. Copland asked a call of the house. The roll being called, the following Senators responded to their names: Messrs. Antoine, Beards, Campbell, Foute, Jenks, Kelso, Lewis, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—17.

There being no quorum present, and a motion to take a recess until half-past seven o'clock P. M. being adopted, the President (pro tempore) announced that the Senate stood adjourned accordingly.

EXECUTIVE DEPARTMENT, State of Louisiana, New Orleans, March 12, 1870. To the Honorable President and Members of the Senate: I am directed by His Excellency the Governor to inform the Senate that he has approved and signed "An act to amend and re-enact sections eight and nine, as amended in section one of an act entitled an act to consolidate the city of New Orleans and to provide for the government of the city of New Orleans and the administration of the affairs thereof."

F. C. HEMICK, Private Secretary. HOUSE OF REPRESENTATIVES, State of Louisiana, New Orleans, March 12, 1870. To the President and Members of the Senate: GENTLEMEN—I am directed to inform the Senate that the House has concurred in the following Senate bills, viz: Senate bill No. 228, an act relative to the trial of all cases arising under article thirteen of the constitution, etc.

Senate bill No. 61, an act relative to the New Orleans City Waterworks, etc. Senate bill No. 270, an act for the relief of Hedge Babun, etc.

Mr. Poindecker asked a suspension of the rules to take up House bill No. 111, "Prohibiting unjust discrimination on account of color or race, and providing means for enforcing the same," from third reading file. The rules were suspended by the following vote, two-thirds of the members present voting in the affirmative: Yeas: Anderson, Antoine, Beards, Campbell, Copland, Darrall, Kelso, Lynch, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—19.

Nays: Braughn, Egan, Futch, O'Gden—4. The bill was read its third and last time, and finally adopted by the following vote: Yeas: Antoine, Beards, Campbell, Copland, Darrall, Kelso, Lynch, Monette, O'Hara, Packard, Poindecker, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—18.

Nays: Braughn, Egan, Futch, O'Gden—4. The title was then adopted.

Mr. Campbell called up, under a suspension of the rules, Senate bill No. 241, "In relation to incorporations for agricultural purposes," from first reading file. Which was read its first time.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill put on its second reading, and read a second time.

Mr. Lynch moved to strike out the words "purchase price" in sections five and eight, and insert the words "assessed value" in lieu thereof.

Mr. Darrall moved to postpone the bill until next Tuesday. Mr. Campbell moved to lay that motion on the table.

The Senate refused to lay the motion to postpone on the table. The motion to postpone was withdrawn. The amendment was then adopted, and the bill, as amended, adopted on its second reading, and ordered engrossed for a third reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill read its third and last time, and finally adopted with its title.