

New Orleans Republican. OFFICIAL JOURNAL OF THE UNITED STATES OFFICIAL JOURNAL OF THE STATE OF LOUISIANA. PROCEEDINGS OF THE GENERAL ASSEMBLY OF THE STATE OF LOUISIANA. EXTRA SESSION. JOURNAL OF THE SENATE. Seventh Day's Session. SENATE CHAMBER, Monday, March 14, 1870. The Senate met pursuant to adjournment.

Present: Hon. O. J. Dunn, Lieutenant Governor and President of the Senate, and Messrs. Anderson, Antoine, Bacon, Beares, Blackman, Braughn, Campbell, Coupland, Darrell, Egan, Futch, Jenks, Jewell, Kelso, Lewis, Lynch, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-32.

Prayer by the Rev. Mr. Hsaly. The reading of the minutes of the previous day's session was dispensed with.

MESSAGE TO THE HOUSE. The Secretary informed the House of the concurrence of the Senate in the following House bills, viz:

No. 31, "To amend an act to create the parish of Grant," etc. No. 16, "To more particularly define the jurisdiction of the Recorder's court of the city of Shreveport," etc.

No. 94, "To provide for the payment of the floating debt of the city of New Orleans," etc., with amendment. House bill No. 126, "To incorporate the Louisiana Dredging Company," etc., with amendment.

No. 111, "Forbidding unjust discrimination on account of color," etc. No. 243, "Creating a Joint Committee to investigate the affairs of the Opelousas Railroad," etc.

No. 295, "To amend an act incorporating the town of Covington," etc. No. 186, "Granting ferry privileges to Thomas E. Verbois," etc., with an amendment.

No. 134, "Granting leave of absence to Judge H. R. Steele." No. 252, "To aid and assist the Louisiana Petroleum and Sulphur Company," etc.

To ask the concurrence of the House in Senate bills: No. 230, "To authorize C. Ward to sue the State." No. 263, "To remove the seat of justice of the parish of Plaquemine," etc.

No. 270, "For the relief of G. S. Fosdick and others." No. 178, "Regulating places of entertainment." No. 156, "For the relief of Lacey, Marks and Butler."

Senate Joint Resolution No. 27, "Relative to the introduction of steam plows," and asked the signature of the Speaker to "An act for the relief of Mrs. Mary Carson," "An act relative to the New Orleans, Jackson and Great Northern Railroad Company."

Also, informed the House that the President of the Senate had signed "An act to amend and re-enact an act repealing all laws and parts of laws creating draining districts," etc.

And for concurrence, Senate bill No. 51, "To establish an additional District Court for the parish of Orleans," etc. Also, Senate joint resolution No. 38, submitting an amendment to the constitution of the State to the effect that article fifty of the constitution shall be abrogated and stricken out.

On motion of Mr. Campbell it was ordered unanimously that the journal of the Senate be corrected so as to show that the following paragraphs which appear in the Senate amendments to House bill No. 47 by mistake were not adopted, and to instruct the Secretary to have the enrolled and amended bill so corrected, and to inform the House accordingly.

The paragraphs reported erroneously as adopted and to be stricken out or altered, are as follows: In section fifty strike out the words, "The State Superintendent shall prescribe the course of study and supervise the general curriculum in every particular not provided for in the law."

And section sixty-one strike out as follows, "Be it further enacted, etc., That section ten of an act entitled an act to regulate public education in the State of Louisiana, and to raise revenues for the support of the same," approved March 10, 1869, is hereby repealed and re-enacted so as to read as follows: "The Board of School Directors for the city of New Orleans, appointed under the provisions of this act, shall at once assume exclusive control of all free public schools in the city aforesaid, subject to the provisions of this act."

And in section seventeen, in line one, after the words "said board," near end of section, insert the words "of Algiers and Jefferson," and insert in the title, after the word "Louisiana," the words "and the city of New Orleans."

The Secretary then proceeded to the House and informed that body of the foregoing order of the Senate. Mr. Darrell, from the Enrollment Committee, submitted the following reports:

GENERAL ASSEMBLY OF LOUISIANA. SENATE ENROLLMENT BOARD. New Orleans, March 14, 1870. To the Honorable President and Members of the Senate. GENTLEMEN—Your Committee on Enrollment beg leave to report the following bills as having been duly engrossed, viz: Senate bill No. 51, "An act to establish an additional District Court for the Parish of Orleans; to define the jurisdiction thereof," etc.

Senate joint resolution No. —, "Submitting an amendment to the constitution of the State to the effect that article fifty of the constitution shall be abrogated and stricken out." Senate bill No. 241, "An act in relation to incorporations for agricultural purposes." Senate bill No. 31, "An act to incorporate the Louisiana Joint Stock Bank, to be located in the city of New Orleans, Louisiana."

Senate bill No. 236, "An act amending the eleventh and twelfth sections of an act en-

acted an act to incorporate the North Louisiana and Texas Railroad company, approved September 26, 1868, and to provide for the payment of the interest and principal of the bonds to be issued thereunder," and as having been duly enrolled, the following: "The Statute Laws of Louisiana, the Civil Code, and the Code of Practice."

Respectfully, C. B. DARRALL, Chairman. GENERAL ASSEMBLY OF LOUISIANA. SENATE ENROLLMENT BOARD. New Orleans, March 14, 1870. To the Honorable President and Members of the Senate:

GENTLEMEN—Your Committee on Enrollment beg leave to report the following bills as having been duly engrossed, viz: Senate bill No. 178, "An act for the relief of George A. Fosdick, C. L. Ferguson, William Baker and others."

Senate joint resolution No. 27, "Relative to the introduction of steam plows into the United States for ordinary use." Senate bill No. 156, "An act for the relief of Lacey, Marks and Butler, and Samuel Friedlander."

Respectfully, C. B. DARRALL, Chairman. SPECIAL ORDER OF THE DAY. House bill No. 63, "Relative to the Mississippi Valley Levee Company, and providing for the construction, repair and maintenance of certain levees by said company, and for compensation therefor by tolls on lands protected by said levees, and the crops of said lands."

The bill was ordered read section by section. The bill was postponed for one-quarter of an hour. On motion of Mr. Ray, the following votes on Senate bill No. 51, (substitute): "To establish an additional District Court for the Parish of Orleans; to define the jurisdiction thereof, and to re-organize and determine the jurisdiction of the existing seven District Courts for the Parish of Orleans," viz:

The vote adopting the title thereof. The vote finally adopting said bill. The vote adopting the bill on its second reading and ordering its engrossment, were re-considered.

The bill was then taken up section by section. (The bill standing on second reading.) Sections one and two were read and adopted. Section three was read.

Mr. Ray moved to amend by striking out in lines "ten" and "eleven" the words "third," "fourth" and "fifth," and inserting in lieu thereof, the words "fourth," "fifth" and "sixth."

Adopted, and the section as amended adopted. Sections four and five were read and adopted. Section six was read.

Mr. Ray moved to strike out in lines two and twelve the words, "third, fourth and fifth," and inserting in lieu thereof the words, "fourth, fifth and sixth."

Adopted, and the Section as amended adopted. Section seven was read.

Mr. Ray moved to strike out the word "sixth," in line two, and insert in lieu thereof the word, "third," and after the word, "jurisdiction," in line seven, strike out the balance of the Section.

Adopted, and the Section as amended adopted. Sections nine and ten were then read and adopted.

The bill was then adopted as amended 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.

Under a suspension of the rules, Mr. Wittgenstein introduced a "Joint resolution submitting an amendment of the constitution of the State, to the effect that article fifty of the constitution shall be abrogated and stricken out."

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

The constitutional rule was suspended by a four-fifths affirmative vote, and the joint resolution read its third and last time, being as follows: Joint Resolution submitting an Amendment to the Constitution of the State, to the effect that Article Fifty of the Constitution of the State shall be abrogated and stricken out.

Section I. Be it resolved by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, that the members elected to each House agreeing thereto, that at the general election for members to the General Assembly, which will take place in November, eight hundred and seventy, an amendment to the constitution of the State shall be submitted to the qualified electors of the State for their ratification or rejection in the words following: "Article fifty of the constitution, which reads as follows: 'The Governor shall be ineligible for the succeeding four years after the expiration of the time for which he shall have been elected,' shall be abrogated and stricken out of the constitution of the State."

Sec. 2. Be it further resolved, etc., That at the next election the said proposed amendment to the constitution of the State shall be submitted to the qualified voters of the State for their ratification or rejection, in the manner following, to wit: Each voter shall have printed or written on a ticket the words "abrogate and stricken out article fifty of the constitution," or the words "retain article fifty of the constitution," upon the closing of the polls the tickets shall be counted, the returns made and the result declared in the manner and form of returning the elections for State officers, prescribed by the general laws relative to elections.

Sec. 3. Be it further resolved, etc., That that joint resolution shall take effect from and after the passage.

And adopted by the following vote, two-thirds of the members present voting in the affirmative: Yes: Anderson, Antoine, Bacon, Beares, Blackman, Braughn, Campbell, Coupland, Darrell, Egan, Futch, Jenks, Jewell, Kelso, Lewis, Lynch, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-32.

The title was then adopted. Mr. Pinchback, under suspension of the rules, called up House bill No. 282, "to authorize the sale of the stock in the New Orleans, Jackson and Great Northern Railroad Company held by the State of Louisiana and the city of New Orleans."

Which was read its first time. The Senate refused to suspend the constitutional rule to put the bill on its second reading by the following vote—four-fifths not voting in the affirmative: Yes: Antoine, Beares, Campbell, Coupland, Darrell, Egan, Futch, Jenks, Kelso, Lewis, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-24.

Yes: Anderson, Antoine, Bacon, Beares, Blackman, Braughn, Campbell, Coupland, Darrell, Egan, Futch, Jenks, Jewell, Kelso, Lewis, Lynch, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-32.

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Which was read its first time. The Senate refused to suspend the constitutional rule to put the bill on its second reading by the following vote—four-fifths not voting in the affirmative: Yes: Antoine, Beares, Campbell, Coupland, Darrell, Egan, Futch, Jenks, Kelso, Lewis, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-24.

Yes: Anderson, Antoine, Bacon, Beares, Blackman, Braughn, Campbell, Coupland, Darrell, Egan, Futch, Jenks, Jewell, Kelso, Lewis, Lynch, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-32.

The title was then adopted. Mr. Pinchback, under suspension of the rules, called up House bill No. 282, "to authorize the sale of the stock in the New Orleans, Jackson and Great Northern Railroad Company held by the State of Louisiana and the city of New Orleans."

Which was read its first time. The Senate refused to suspend the constitutional rule to put the bill on its second reading by the following vote—four-fifths not voting in the affirmative: Yes: Antoine, Beares, Campbell, Coupland, Darrell, Egan, Futch, Jenks, Kelso, Lewis, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-24.

Yes: Anderson, Antoine, Bacon, Beares, Blackman, Braughn, Campbell, Coupland, Darrell, Egan, Futch, Jenks, Jewell, Kelso, Lewis, Lynch, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-32.

Whitney, Wilcox, Williams, Wittgenstein-32. Nays: Bacon, Blackman, Braughn, Futch, Jenks, Jewell, Offutt, Ogden-8.

Mr. Todd, under a suspension of the rules, introduced the following resolution: Resolved, That the Sergeant-at-Arms is hereby authorized to employ a watchman of the Senate chamber during the interval between the adjournment and the next session, his services to be paid out of the contingent fund on the warrant of the Sergeant-at-Arms.

Adopted. Under a suspension of the rules Mr. Wilcox called up from third reading file House bill No. 321 (file of 1869), "For the relief of William H. Hunt, Henry Dibble and John B. Robinson."

Which was read its third and last time, and finally adopted with its title. The special order was then taken up—Mississippi Valley Levee Company.

Section one was then read and adopted, after an amendment in the last line but one, striking out the word "thirty," and inserting the word "twenty-one."

Section two was read. Mr. Ray moved, after the word "outlets," in line fourteen, to insert "and such in the State of Arkansas as may be necessary to protect any part of the State of Louisiana from overflow from the waters of the Mississippi or Arkansas rivers; provided, that the consent of the State of Arkansas to the building of such levees be first obtained."

Adopted. Mr. Campbell moved to strike out all after the word "less," in line twenty-seven, and including the word "less," in line twenty-nine. Adopted, and the section, as amended, adopted.

Section three was then read. Mr. Campbell moved to strike out all after the word "act," in line seven, and to insert the following: "And for that purpose it is hereby vested with all necessary powers and powers of inspection, with the necessary right of access to said levees, and the said company is hereby charged with the duty and responsibility and obligation to maintain said levees in proper condition, and for failure or neglect in the performance of said duty, shall be responsible in damages to the party injured; Provided, That any municipal corporation or Police Jury shall have the right, after due notice, to compel said company to construct, repair or maintain any of said levees, and in case of default, then the said levees shall be built, repaired or maintained by said corporation or Police Jury at the expense of said company; Provided, further, That the said company shall make to the Governor annually a report of its operations during the current year."

Adopted, and the section as amended adopted. Section four was then read. Mr. Campbell moved to strike out all after the word "levees," in line six, and including the words "eighteen hundred and sixty-five," in line nineteen. Adopted, and the section as amended adopted.

Section five was read. Mr. Ray offered the following as a substitute for the section: "Be it further enacted, etc., That said company shall be liable in damages to any person or corporation injured in consequence of overflow occasioned from levees not being up or sufficient to protect them, from any cause whatever, except from the acts of such person or corporation."

Adopted. Mr. Campbell offered the following to be numbered six: "Be it further enacted, etc., That all the earth for the construction or repair of levees shall, whenever it is practicable, be taken from the lands on the river side of the levee; provided, that the company shall be liable in damages for injury resulting from taking earth from lands on the inside of the levee, said damages to be assessed by two land holders, one to be selected by the landowner, one by the company, with the authority of the two to call on a third in case of disagreement, and the award of the commissioners shall be final, and operate as a judgment against said company."

Adopted. Section six was then read as section seven. Mr. Ray offered the following amendments: Strike out from the word "damages," in line six, and including the word "leves," in line eight, and insert "As provided for in section five of this act."

And to strike out, in line seventeen, from the word "damages" down to and including the word "levees," in line twenty-one, and insert, "As provided for in section five of this act."

Adopted. Mr. Ray offered the following: To strike out from the word "them," in line forty-five, all the balance of the section, and insert "This company shall be ipso facto at an end and dissolved, and this act and contract void, and any tolls at that time due, or afterwards to fall due to said company, are remitted."

Mr. Campbell moved, to lay the amendment on the table. Lost by the following vote: Yes: Campbell, Jenks, Monette, Pinchback, Todd, Wilcox, Wittgenstein-7. Nays: Anderson, Antoine, Bacon, Beares, Blackman, Braughn, Coupland, Darrell, Egan, Futch, Jewell, Kelso, Lewis, Lynch, Offutt, Ogden, O'Hara, Packard, Poindexter, Pollard, Ray, Thompson, Williams-23.

Mr. Ray moved to postpone the consideration of this section. Adopted. Section seven, to be section eight, was read.

Mr. Wittgenstein moved to strike out in line eleven, the word "thirty," and insert "twenty-one."

The section as amended was then adopted. Section eight, to be section nine, was read.

Mr. Wittgenstein moved to strike out the word "ten," in line eighteen, and insert "five."

Adopted. Mr. Packard moved the following be added at the end of the section: "Provided, All lands that are subject at any time to total overflow, are hereby exempt from all taxation imposed by this act."

Mr. Campbell offered the following as a substitute to be added at the end of the section: "Provided, That nothing in this section shall be construed to apply to lands liable to overflow by tide water, or lands claimable by protection from overflow by

the waters of the Mississippi, its tributaries or outlets, or to State lands or school lands. Adopted. Mr. Williams offered the following: "Provided that nothing in this act shall be so construed as to include Red river or any of its tributaries, and they shall not be liable to taxation under the provisions of this act."

Laid on the table. Mr. Lynch moved to insert in line nineteen, after the word "acre," "of improved lands, and two cents an acre for each and every acre of unimproved lands."

Which was laid on the table, by the following vote: Yes: Anderson, Antoine, Blackman, Braughn, Campbell, Jenks, Lewis, Monette, Offutt, O'Hara, Packard, Poindexter, Pollard, Ray, Smith, Thompson, Todd, Wilcox, Wittgenstein-19. Nays: Bacon, Beares, Darrell, Egan, Futch, Jewell, Kelso, Packard, Williams-9.

The section as amended was then adopted. Mr. Bacon offered the following to be section ten: "Be it further enacted, etc., That there is hereby reserved to the General Assembly of this State the power to hereafter alter, regulate and amend the tolls and rates of toll hereby granted to this company, or to amend its charter of said company."

Mr. Ray moved to postpone the consideration of this section. Section nine, to be section ten, was then read. Mr. Campbell moved to strike out the words "rice and tobacco," in lines two and three. Adopted.

Mr. Campbell moved to insert after the word "molasses," in line ten, the following: "Or until bond and security for the payment of said tolls shall have been furnished to the satisfaction of the Tax Collector, and for the sufficiency of such bond the Tax Collector is hereby made responsible."

Adopted. Mr. Campbell moved to insert, after the word "thereof," in line twenty-one, the following: "or having furnished bond and security as herein provided."

Adopted. Mr. Campbell moved to add to the end of the section the following: "Provided that any owner or producer of crops, subject to the assessment under this act, shall have the liberty of removing or selling one-half of the gross amount of the same, without any restriction, subject to the approval of the Tax Collector."

Mr. Todd moved to take a recess until seven o'clock P. M. Which was adopted by the following vote: Yes: Anderson, Antoine, Bacon, Beares, Blackman, Coupland, Darrell, Egan, Futch, Jenks, Jewell, Kelso, Lewis, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Pollard, Ray, Smith, Thompson, Todd, Whitney, Williams-21. Nays: Braughn, Campbell, Wilcox-3.

The President then announced that the Senate stood adjourned accordingly. EVENING SESSION. SENATE CHAMBER. Monday Evening, March 14, 1870. The Senate met pursuant to adjournment at seven o'clock P. M.

Present: Hon. O. J. Dunn, Lieutenant Governor and President of the Senate; and Messrs. Anderson, Antoine, Bacon, Beares, Blackman, Braughn, Campbell, Coupland, Darrell, Egan, Futch, Jenks, Jewell, Kelso, Lewis, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-24.

Action on the Mississippi Valley Levee bill. The question pending at the time of adjournment was the adoption of Mr. Campbell's amendment to be added to section nine.

Mr. Campbell offered the following to be added to his proviso offered to-day: "Provided, further, That upon notification of any such owner or producer, it shall be the duty of the Tax Collector, within five days thereafter, to go or send an authorized agent to the plantation or place where the crops or crops are stored, and assess such crops without charge for such assessment, and the Tax Collector may authorize the planter or producer himself to weigh or measure his crops, and his affidavit as to the quantity of such crops, shall be a sufficient voucher to the Tax Collector to release said crops."

Adopted, and the section as amended adopted. Section ten was then read as section eleven and adopted.

Mr. Poindexter offered the following, which was read and adopted as section twelve: Sec. 12. Be it enacted, etc., That said company shall make its contracts between March first and August first of each year, and shall construct its levees within such time, except contracts necessary to be made and executed for the stoppage of crevasses.

Sections eleven, twelve, thirteen and fourteen were read as sections thirteen, fourteen, fifteen and sixteen.

Mr. Campbell moved to strike out in the original section fourteen, line nineteen, the word "thirty," and insert words "twenty-one."

Adopted. Mr. Campbell moved to strike out in the original section eleven the words "Judge of the District Court of the parish," in lines twenty-eight and twenty-nine, and insert "The Governor."

Adopted. Mr. Blackman offered the following, to be inserted after the word "cash," in line sixteen, original section twelve, "in that advertisement, for fifteen days, in any newspaper published in the parish, the Tax Collector shall proceed to sell said crops under seizure, which shall bring two-thirds of its appraised value, and if it will not sell at its first offering for this amount, then it shall be reoffered in ten days, and sold to the highest bidder for what it will bring."

Adopted. Mr. Blackman moved to strike out in the same section, line twenty, the words "for ten days."

Adopted. Mr. Blackman moved to strike out, in same section, in line thirty-four, the words "without further notice," and insert the following: "To give notice for thirty days in a newspaper published in the parish where the land is situated, giving the name of the delinquent and the amount of the taxes due on said lands, and to strike out, in line thirty-five, the word "April" and insert the word "June."

Adopted. Mr. Blackman moved to strike out, in same section, "two years," and insert "four years."

Laid on the table. Mr. Blackman moved, in line seventy, in the twelfth section, to strike out "fifty" and insert "twenty."

Adopted. Mr. Futch moved to strike out, in original section twenty-two, line thirty-one, "to be designated by said company."

Adopted, and the section, as amended, adopted. The hour having arrived, the preceding special order was taken up.

Section fifteen to be section seventeen, was read and adopted. Section sixteen to be section eighteen, was read.

Mr. Campbell moved to strike out "thirty" in line five, and insert "twenty-one."

Adopted, and the section as amended adopted. Section seventeen to be section nineteen, was read.

Mr. Blackman moved to insert in line one, the words, "One Commissioner shall be elected by the Police Jury of each parish, who shall be a land owner and resident in said parish, who, with one engineer, shall determine."

At the end of the section, "In case this commission disagree, they shall call in a third party, and said commission shall then decide."

Mr. Lewis moved to insert the following at the end of the section: "That Red river and its tributaries above the mouth of Black river, unless it is affected by the overflows from the Mississippi, shall be exempt from the provisions of this act."

Mr. Blackman moved to strike out, in same section, "two years," and insert "four years."

Laid on the table. Mr. Blackman moved, in line seventy, in the twelfth section, to strike out "fifty" and insert "twenty."

Adopted. Mr. Futch moved to strike out, in original section twenty-two, line thirty-one, "to be designated by said company."

Adopted, and the section, as amended, adopted. The hour having arrived, the preceding special order was taken up.

Section fifteen to be section seventeen, was read and adopted. Section sixteen to be section eighteen, was read.

Mr. Campbell moved to strike out "thirty" in line five, and insert "twenty-one."

Adopted, and the section as amended adopted. Section seventeen to be section nineteen, was read.

Mr. Blackman moved to insert in line one, the words, "One Commissioner shall be elected by the Police Jury of each parish, who shall be a land owner and resident in said parish, who, with one engineer, shall determine."

At the end of the section, "In case this commission disagree, they shall call in a third party, and said commission shall then decide."

Mr. Lewis moved to insert the following at the end of the section: "That Red river and its tributaries above the mouth of Black river, unless it is affected by the overflows from the Mississippi, shall be exempt from the provisions of this act."

Mr. Ray moved to amend Mr. Lewis' amendment by adding the words "and the lands on the Ouachita and its tributaries above the mouth of Bayou Louis."

Adopted. And the amendment, as amended, adopted. The section, as amended, adopted.

Section eighteen, to be section twenty, was read. Mr. Campbell moved to strike out the word "June" and insert the word "September" wherever it occurs in the section.

Adopted. Mr. Ray offered the following, to be inserted after the words "assumed by it," in line thirty-seven (to be first proviso): "Provided that none of the tolls, stipulated by this act to be paid by the company, shall be due or collectible until the entire work of protection required by the second section of this act is completed, and the completion thereof is made known to the Governor by the commission of engineers, to be appointed according to the second section of this act, under the oath of said commissioners, or a majority of them, and the liability to such toll shall not commence until such work is completed; and that said company shall be under no liability for damage, as stipulated by the fifth and other sections of this set, on account of injury from overflow, until one year shall have elapsed from the time this act shall go into effect, and that if such work be not completed within one year from the time this act goes into operation, that this act and the contract resulting from it shall be subject to be repealed, amended or changed, at the discretion of the General Assembly."

The amendment was laid on the table by the following vote: Yes: Anderson, Beares, Blackman, Braughn, Campbell, Coupland, Darrell, Egan, Futch, Jenks, Jewell, Kelso, Lewis, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-14. Nays: Bacon, Beares, Blackman, Braughn, Coupland, Darrell, Egan, Futch, Jewell, Lewis, Ogden, Ray, Thompson-13.

The section as amended was then adopted. Section two, passed over this morning, was then taken up and read.

Mr. Bacon offered the following to be inserted after the word "of," in line thirteen: "Five engineers to be appointed by the government of the United States, approved by the Governor of this State."

Which was laid on the table by the following vote: Yes: Anderson, Campbell, Futch, Jenks, Lewis, Monette, Offutt, O'Hara, Packard, Poindexter, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-21. Nays: Bacon, Braughn, Coupland, Darrell, Egan, Futch, Jewell, Lynch, Packard, Ray-11.

The section as amended was then adopted. Section six, which was passed over this morning, was then taken up and read.

The amendment offered this morning by Mr. Ray was then read as follows: From the word "then," in line forty-five, strike out all the balance of this section, and insert the following: "This company shall be ipso facto at an end and dissolved, and this contract void, and any tolls at that time due, or afterwards to fall due, to said company are remitted."

Which was laid on the table by the following vote: Yes: Anderson, Antoine, Beares, Campbell, Futch, Jenks, Kelso, Lewis, Monette, Offutt, O'Hara, Packard, Poindexter, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-19. Nays: Bacon, Blackman, Braughn, Coupland, Darrell, Egan, Futch, Jewell, Lynch, Ogden, Packard, Ray-12.

Mr. Futch offered the following substitute for section eighteen: That it shall be the duty of the Governor to submit this act to the voters of this State at the next general election, for their approval or rejection, and if a majority of the voters as aforesaid approve the same, it shall be the duty of the Governor to make proclamation thereon, immediately upon the returns of said election being made to the proper officers, and result declared, and this act shall go into effect ten days thereafter, provided the said company, on or before the vote of said proclamation, shall have deposited with the Auditor and Treasurer the amount of bonds specified in the section of this act; and in case it should fail to make such deposit on or before the date of said proclamation, this act shall go into effect on the first day of June, 1871; provided, said company shall fail to make said deposit on or before the first day of June, 1871, this act shall be considered and deemed null and void, and have no effect whatever.

Which was laid on the table by the following vote: Yes: Anderson, Antoine, Beares, Braughn, Campbell, Futch, Jenks, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-17. Nays: Bacon, Blackman, Coupland, Darrell, Egan, Futch, Jewell, Lynch, Packard, Ray, Thompson, Whitney-12.

The section, as amended, was adopted by the following vote: Yes: Anderson, Beares, Braughn, Campbell, Futch, Jenks, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein-18. Nays: Bacon, Blackman, Coupland, Darrell, Egan, Futch, Jewell, Lynch, Packard, Ray, Thompson, Whitney-11.

Mr. Poindexter offered the following to be set on twenty-one: "Be it enacted, etc., That no distinction shall be made by said company on account of race, color, or previous condition, between the persons employed in the construction and maintenance of their levees, or between passengers either in their railway carriages, in the depot buildings, or upon their ferry boats within the State."

Adopted. Mr. Blackman moved to strike out, in same section, line twenty, the words "for ten days."

Adopted