

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

Eighty Day's Session. SENATE CHAMBER, Tuesday, March 15, 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, Darrall, Day, Egan, Fouts, Futch, Jenks, Jewell, Lynch, Monette, Offutt, Ogden, O'Hara, Packard, Pinchback, Poindexter, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein.

Prayer by the chaplain, Rev. John Turner.

The reading of the minutes of the previous day's session was dispensed with.

Mr. Darrall submitted the following report:

GENERAL ASSEMBLY OF LOUISIANA. Senate Chamber, New Orleans, March 15, 1870. To the Honorable President and Members of the Senate: GENTLEMEN—Your Committee on Enrollment beg leave to report, as having been duly engrossed:

Senate bill No. 206, an act to set to the Medical Department of the Straight University. Senate bill No. 231, an act granting certain privileges to the Louisiana Canal and Land Improvement Company.

Respectfully, C. B. DARRALL, Chairman.

MESSAGE TO THE HOUSE.

The Secretary informed the House of the concurrence of the Senate in House bills—

No. 27, "To incorporate the Louisiana Commercial, Agricultural and Emigrant Association," etc.

No. 285, "To change venue in prosecution pending against C. B. Jones."

No. 282, "To authorize sale of stock in New Orleans, Jackson and Great Northern Railroad," etc.

No. 78 (file of 1869), "To incorporate the Louisiana Land Company," etc., with amendments.

No. 69, "Relative to the Mississippi Valley Company," etc., with amendment.

And asked concurrence in Senate bills—

No. 251, "Granting certain privileges to the Louisiana Canal and Land Improvement Company."

No. 266, "To aid the Medical Department of Straight University."

Mr. Todd asked a suspension of the rules to take up House bill No. 215, "Joint resolution requesting the Governor to remove from office S. N. Burbank, as Commissioner of the Board of Metropolitan Police."

The rules were suspended by the following vote, two-thirds of the members present voting in the affirmative:

Yeas: Anderson, Antoine, Bacon, Beares, Campbell, Darrall, Day, Egan, Fouts, Futch, Jenks, Jewell, Lynch, Monette, Offutt, Ogden, O'Hara, Packard, Pinchback, Poindexter, Pollard, Ray, Smith, Todd, Whitney, Wilcox, Williams, Wittgenstein—2.

The bill was then taken up from second reading file.

Mr. Fouts moved to lay the bill on the table, subject to call.

Adopted by the following vote:

Yeas: Anderson, Braughn, Campbell, Coupland, Day, Egan, Fouts, Futch, Jenks, Jewell, Lynch, Monette, Offutt, Ogden, O'Hara, Packard, Pinchback, Poindexter, Pollard, Ray, Smith, Todd, Whitney, Wilcox, Williams, Wittgenstein—17.

Nays: Antoine, Bacon, Beares, Blackman, Braughn, Campbell, Coupland, Darrall, Day, Egan, Fouts, Futch, Jenks, Jewell, Lynch, Monette, Offutt, Ogden, O'Hara, Packard, Pinchback, Poindexter, Pollard, Ray, Smith, Todd, Whitney, Wilcox, Williams, Wittgenstein—5.

The bill then read its third and last time and finally adopted with its title.

REPORTS OF COMMITTEES.

Mr. Lynch, from the Finance committee, reported back, without action, on Senate bill No. 167, "An act for the relief of J. B. Sterling."

Also, on Senate bill No. 260, "To incorporate the Bayou Castaing, Maadeville and Pearl River Transportation Company," etc.

Also, on Senate bill No. 256, "To incorporate the Feliciana Savings and Exchange Bank."

And reported by bill on the petition of Frederick Frye.

And reported favorably, with amendments, on House bill No. 237, "An act making appropriations for the general expenses of State for the public and charitable institutions, for the year ending the thirty-first day of December, one thousand eight hundred and seventy."

Mr. Ray, from the Judiciary committee, reported on the following bills:

Favorably on Senate bill No. 212, "Relative to the publication and printing of certain books."

Without action on Senate bill No. 44, "To declare the rights of the Butchers Benevolent Association in the parishes of Orleans, Jefferson and St. Bernard," etc.

And on original bills to be entitled "An act to improve the navigation of the Ouchitza river."

And "An act to incorporate the Louisiana and Arkansas Red River Raft Navigation Company."

Mr. Ray, from the Internal Improvement Committee, reported without action on the following bills:

Senate bill No. 234, "For the improvement of the navigation of Cane river," etc.

Also, on Senate bill No. 115, "To provide for dredging out a channel through the bars in Lake Calcasieu," etc.

Mr. Campbell, from the Committee on Corporations and Parochial Affairs, reported on the following bills:

Senate bill No. 264, "To annex a certain portion of Orleans, right bank, to the parish of Plaquemine."

Also, on Senate bill No. 232, "Granting ferry privileges to Henry Henchert, Conrad Henchert and others," etc.

Mr. Lewis, from the Committee on Charitable Institutions, reported back without action on House bill No. 18, "In reference to insane asylums, cities of New Orleans and Jefferson."

Mr. Jenks, from the Committee on Federal Relations, reported without action on Senate joint resolution No. 32, "Relative to certain outrages committed on American citizens in the Island of Cuba."

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES. SENATE CHAMBER, New Orleans, March 15, 1870.

To the President and Members of the Senate: I am directed to inform the Senate that the House has concurred in the following bills, viz:

Senate bill No. 104, "Relative to the registry of births and deaths," etc.

Senate bill No. 62, "Relative to bonds taken in cases of arrest, attachment," etc.

Senate bill No. 99, "An act, with amendments, for the relief of the taxpayers of this State," etc.

Senate bill No. 16, "An act to provide for using the records of the courts of this State in evidence."

Senate bill No. 32, "An act to renew the corporation of the town of Farmerville," etc.

Senate bill No. 53, "An act to incorporate the Church Education Society."

Senate bill No. 5, "An act relative to military matters."

That the House has indefinitely postponed the following bills, viz:

Senate bill No. 173, "An act to exempt from taxation the New Orleans Methodist Depository."

Senate bill No. 106, "An act relative to auctioneers."

To ask the concurrence of the Senate in the following bills, viz:

House bill No. 193, "An act relative to the town of Ponchartraine," etc.

House bill No. 276, "An act granting ferry privileges to William H. Finnegan," etc.

House bill No. 275, "An act for digging a canal from the Mississippi river to Lake Pontchartrain," etc.

To ask the signature of the President of the Senate to the following enrolled bill, viz: "An act to incorporate the Louisiana Dredging Company," etc.

To ask the concurrence of the Senate in the following bills, viz:

House bill No. 66 (revenue bill).

House bill No. 233, "An act relative to the Police Jury of the parish of Tenesse."

House bill No. 287, "Joint resolution authorizing the printing of 500 copies of the trial of impeachment of G. M. Wickliffe."

WILLIAM VIGERS, Chief Clerk House of Representatives.

House bill No. 66, "An act to provide a revenue, to levy and collect taxes; to grant and collect licenses; to provide for the creation and removal of revenue officers," etc., was taken up and 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 Finance Committee.

PRECEDENCE SPECIAL ORDER.

House bill No. 237, "An act making appropriations for the general expenses of the State for the public and charitable institutions, for the year ending the thirty-first day of December, one thousand eight hundred and seventy," was taken up and read item by item.

Items one, two, three, four, five, six, seven and eight were read and adopted.

Item nine was read.

Mr. Lynch moved to strike out "one hundred thousand dollars," and insert "one hundred and five thousand dollars."

Adopted, and the item as amended.

Item ten was read.

Mr. Lynch moved to strike out "one hundred and twelve thousand dollars" and insert "one hundred and fifteen thousand dollars."

Adopted, and the item as amended.

Items eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one and twenty-two were read and adopted.

Item twenty-three was read.

Mr. Lynch moved to strike out the item and insert the following in lieu thereof: "For the salary of the third assistant clerk in the Treasurer's office, two thousand dollars (\$2000)."

Adopted.

Items twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four and thirty-five were read.

Mr. Lynch moved to strike out the foregoing, and insert the following in lieu thereof: "For the salary of the chief clerk in the Auditor's office, twenty-five hundred dollars (\$2500)."

Mr. Lynch offered the following additional item:

"For the salaries of the porter and two watchmen of the State House, at New Orleans, nine hundred and sixty dollars each (\$960), two thousand eight hundred and eighty dollars (\$2880)."

Adopted.

Mr. Lynch offered the following additional item, to come in after the items in regard to the clerical force of the Auditor's office:

"To pay certificates of indebtedness issued to extra clerks employed in the Auditor's office prior to the fifth day of February, 1870, and during the administration of the late Auditor, George M. Wickliffe, seven thousand four hundred and seventy-five dollars (\$7475)."

Adopted.

Item forty-two was read.

Mr. Lynch moved to strike out the item and insert the following in lieu thereof: "For the contingent expenses of the Executive fifteen thousand dollars (\$15,000), seven thousand five hundred dollars (\$7500) thereof for ordinary purposes, and seven thousand five hundred (\$7500) for the purpose of rewards for the arrest of persons charged with crime, or so much thereof as may be necessary."

Adopted.

Items forty-three and forty-four were then read and adopted.

Item forty-five was read.

Mr. Wittgenstein moved to strike out five hundred dollars (\$500) and insert one thousand dollars (\$1000).

Adopted, and the item, as amended, was adopted.

Item forty-six was read and adopted.

Item forty-seven was read.

Mr. Lynch moved to strike out the item and insert the following in lieu thereof: "Contingent expenses of the Auditor of Public Accounts, four thousand dollars (\$4000)."

Adopted.

Item forty-eight was read.

Mr. Ray moved to insert at the end thereof the words: "To be paid out of the Public School fund."

Adopted, and the item, as amended, was adopted.

Item forty-nine was read and adopted.

Mr. Lynch offered the following additional item:

"For compensation to the Secretary of State for auditing seals to bonds issued by the State prior to January 1, 1870, as allowed by section 3473, page 712, Revised Statutes, of 1869, the sum of three thousand dollars (\$3000); provided, that the fees of the Secretary of State shall not exceed the sum of three thousand dollars (\$3000) per annum; a sworn statement of fees received by the Secretary of State shall be furnished to the General Assembly at the time of making his annual report, and any excess of fees over and above the sum of three thousand dollars (\$3000), shall be paid into the State treasury."

Adopted.

Item fifty-one was read and adopted.

Item fifty-two was read.

Mr. Campbell moved to insert, at the end thereof, the words "or so much thereof as may be necessary."

Adopted, and the item, as amended, was adopted.

Items fifty-three, fifty-four, fifty-five, fifty-six and fifty-seven were read and adopted.

Item fifty-eight was read.

Mr. Lynch moved to strike out "1869" and insert "1853."

Adopted, and the item as amended.

Items fifty-eight, fifty-nine, sixty, sixty-one, sixty-two and sixty-three were read and adopted.

Item sixty-four was then read.

Mr. Campbell moved to strike out the words "twenty-five hundred dollars" and insert "three thousand dollars."

Adopted, and the item as amended.

Item one hundred and twelve was read and adopted.

Item one hundred and thirteen was then read.

Mr. Ogden moved to strike out the words "two thousand dollars" and insert the words "five thousand dollars."

Adopted, and the item as amended.

Item one hundred and fourteen was read.

Mr. Bacon moved to strike out "fifteen hundred dollars" and insert the words "five thousand dollars," and to strike out "Camp" and insert "Jackson."

Adopted, and the item as amended.

Items one hundred and fifteen, one hundred and sixteen, one hundred and seventeen and one hundred and eighteen were read and adopted.

Item one hundred and nineteen was read.

Mr. Coupland moved to strike out the words "one thousand" and insert the words "fifteen thousand."

"Appropriation to pay expenses incurred and to be incurred in procuring and disposing of agricultural scrip issued by the United States to the State, payable on the warrant of the Governor, twenty-five hundred dollars (\$2500)."

Adopted.

Items eighty-four and eighty-five were read and adopted.

Item eighty-six was read and stricken out.

Items eighty-seven, eighty-eight and eighty-nine were read and adopted.

Item ninety was read.

Mr. Lynch moved to insert the words "and required" after word "authorized," in line two.

Adopted, and the item as amended.

Item ninety-one was then read.

Mr. Campbell moved to strike out the words "two hundred and twenty thousand dollars," and the balance of the item, and to insert in lieu thereof the words, "six hundred thousand dollars, or so much thereof as may be collected from the two-mill tax levied for the support of public schools."

Adopted, and the item as amended.

Item ninety-two was read.

Mr. Lynch moved to strike out the words "one hundred thousand dollars," and insert the words "one hundred and forty thousand dollars."

Adopted, and the item as amended.

Mr. Campbell offered the following proviso, to come in before the appropriation for private charitable institutions, and immediately after item ninety-two of the House bill, which was laid on the table:

"The following appropriations for charitable organizations shall not be valid or of effect until after each organization or association shall have been examined and its application for its share of the appropriation shall have been approved by a joint committee of the General Assembly, to be approved at the present session, which approval shall be filed with the Auditor of Public Accounts before any warrant shall issue for any of the appropriations."

On motion of Mr. Pinchback, the Senate then took a recess until seven o'clock this evening.

EVENING SESSION.

SENATE CHAMBER, Tuesday Evening, March 15, 1870.

The Senate met, pursuant to the recess taken, 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, Darrall, Day, Egan, Fouts, Futch, Jenks, Jewell, Lynch, Monette, Offutt, Ogden, O'Hara, Packard, Pinchback, Poindexter, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, Wittgenstein—32.

Consideration of the appropriation bill was resumed.

Items ninety-three, ninety-four, ninety-five, ninety-six, ninety-seven, ninety-eight, ninety-nine, one hundred, one hundred and one, one hundred and two, one hundred and three, one hundred and four, one hundred and five, one hundred and six, one hundred and seven, one hundred and eight, one hundred and nine, and one hundred and ten were read and adopted.

Item one hundred and eleven was then read.

Mr. Coupland moved to strike out the words "twenty-five hundred dollars" and insert "three thousand dollars."

Adopted, and the item as amended.

Item one hundred and twelve was read and adopted.

Item one hundred and thirteen was then read.

Mr. Anderson offered the following as an additional item:

Appropriation for the Grand Samaritan's Charitable Association for Assumption parish, four hundred dollars.

Adopted.

Mr. Braughn offered the following additional item:

Tulga Asylum for destitute Widows, one thousand dollars (\$1000).

Adopted.

Mr. Todd offered the following additional item:

To the Zion's Travelers' Benevolent Association of Jefferson, one thousand dollars.

Adopted.

Mr. Campbell offered an additional section, which was ordered to lie over for the present.

Items one hundred and thirty-five and one hundred and thirty-six were read and adopted.

Mr. Smith offered the following additional item:

Macedonian Benevolent Association, Jefferson, \$500.

Adopted.

Item one hundred and thirty-seven was read and adopted.

Mr. Anderson offered the following as an additional item:

Appropriation for the support of the St. Landry Free Public School Association, \$2500.

Adopted.

Items one hundred and thirty-eight and one hundred and thirty-nine were then read and adopted.

Mr. Lynch, from the Finance Committee, offered the following additional item:

Appropriation to pay time checks Nos. 3, 5, 9, 17, 21, 27, 28, 47, 54, 55, 63, 70, 74, and 75, issued by the old Board of Levee Commissioners during the months of January, February, March and April, eighteen hundred and sixty-seven, and accruing interest thereon, at the rate of eight per cent per annum, under act No. 123 of 1868, forty-two thousand five hundred dollars (\$42,500) or so much thereof as may be necessary.

Adopted by the following vote:

Yeas: Anderson, Antoine, Bacon, Braughn, Campbell, Day, Egan, Fouts, Futch, Jenks, Jewell, Lynch, Monette, Offutt, Ogden, O'Hara, Packard, Poindexter, Smith, Wilcox, Williams, Wittgenstein—22.

Nays: Beares, Darrall, Ray, Thompson, Todd, Whitney—8.

Mr. Lynch, from the Finance Committee, offered the following additional item:

Appropriation to pay John Ray for closing the crevasse on the Labranche's plantation, in the parish of St. Charles, during the year 1859, twenty-eight hundred dollars (\$2800).

Adopted.

Mr. Lynch, from the Finance Committee, offered the following additional item:

Appropriation to pay judgment, interest and costs, in the suit of Mrs. Harriet H. McLeond, wife of Allen Jones vs. the State of Louisiana, rendered by the Fourth District Court of New Orleans, on the twenty-first day of February, 1870, ten thousand and eighty-three dollars and forty-seven cents (\$10,083 47).

Adopted.

Mr. Lynch, from the Finance Committee, offered the following additional section:

Appropriation to pay certificates of indebtedness of the State issued to J. O. Nixon, late State Printer, by H. Peralta, late Auditor, dated August 2 and November 26, 1867, and January 4, 1868, for printing and advertising during the year 1867, three thousand and fifty-one dollars (\$3511).

Adopted.

Mr. Lynch, from the Finance Committee, offered the following additional item:

Appropriation to pay C. Escande for expenses incurred in stopping a break on his levee, in the parish of Plaquemine, caused by the storm of April, 1868, approved by the new Board of Levee Commissioners by resolution adopted May 11, 1868, eight hundred and seventy-six dollars and twelve cents (\$876 12).

Adopted.

Appropriation to pay for the printing of the bonds of the State issued to the North Louisiana Railroad Company, fifteen hundred dollars (\$1500).

Adopted.

For the salary of the keeper of the State House grounds at Baton Rouge, nine hundred and fifty-three dollars (\$953).

Adopted.

Mr. Lynch offered the following, as a substitute to item —, already adopted:

For the salary of the clerk of the State Land Office, twenty-five hundred dollars (\$2500).

Adopted.

Mr. Coupland, under a suspension of the rules, introduced the following resolution:

Resolved, That the Chief Enrolling Clerk of the Senate shall receive the sum of \$300 for his labor during the extra session, to be paid by the Warrant Clerk of the Senate, in the same manner as the per diem of members.

Adopted.

Mr. Smith, under a suspension of the rules, introduced the following resolution:

Resolved, That the following extra compensation be allowed and appropriated out of the contingent fund of the Senate, to be retained by the chairman of the Committee of Contingent Expenses of the Senate, in favor of the hereinafter named employees, to wit: To the Assistant Sergeant-at-Arms, \$150; to the Messenger, \$150; to each Page, \$50; to each Porter, \$150; to the Doorkeeper, \$100; to the Postmaster, \$100; and that the sum of two hundred and ten dollars (\$210) be appropriated for extra compensation by the clerk of the Committee on Corporation and Parochial Affairs during the last regular session, and that the same be paid by the Warrant Clerk of the General Assembly, out of the appropriation for the pay of members and employees of the General Assembly.

Adopted.

Mr. Coupland, under a suspension of the rules, introduced the following resolution:

WHEREAS, It is necessary that the accounts of the Warrant Clerk, as well as the accounts of the Committee on Auditing and Supervising the Accounts of the Senate be examined, therefore, be it

Resolved, That the Committee on Auditing the Accounts of the Senate be authorized to sit for thirty days after the adjournment of the General Assembly, for the purpose of making a thorough examination of said accounts, and be authorized to report at the next session of the General Assembly.