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DEBATES IN THE SENATE.

MONDAY, FEBRUARY 21, 1870.

[CONTINUED.]

Mr. Ray, under a suspension of the rules, called up House bill No. 47, "An act to reorganize the State of Louisiana and to raise revenue for that purpose," (from first reading file) which was read a first time.

Mr. Ray: I will state in regard to this bill that whenever we have had a suit in court, I have had to go among my personal friends to get bonds, and it has been very humiliating for me to furnish bonds of \$2000 to get that amount.

One of the police officers who was shot and had his leg amputated, was taken to the infirmary, and the doctor charged \$1200. The board considered that bill too large. They brought suit, and the court decided against us, and we took an appeal, and we were ordered to pay for me to furnish bonds of \$2000 to get that amount. Of course it caused me considerable trouble and vexation to go to disinterested parties and get them to sign a bond to that amount.

Mr. Blackburn: Such a law as this might have operated very well in that particular instance where a justice had been done, where a court has given judgment for a large sum, it would be unjustifiable. But I can see no reason why a citizen of the State should be required to furnish bonds of \$2000 to get that amount. It looks as if it were from an individual. Now, if the Metropolitan Police force gives an appeal bond merely to get a trial, and the appeal bond is there, where an individual has sued the Metropolitan Board, after judgment has been rendered against this Board, in the court of last resort that this is not a State affair; that it pertains alone to the cities of New Orleans and Jefferson. It is merely a private matter, and it is not to be required to give bonded security as much as any other corporation.

The President: Well, this bill is only to operate on the bonds of the Metropolitan Police District.

Mr. Blackburn: That is true; but the question I wanted to get at is this: Suppose a party was damaged by the Metropolitan Police District, and the court wanted to assess a certain amount of damages, what security would there be for the individual if the court wanted to take up his appeal? You see, Mr. President, that the police bonds are there—the bond of the Treasurer of the State, or the Mayor of New Orleans, but how can you make the Metropolitan Police District responsible for the bonds of the Metropolitan Board? How can he get his judgments? Supporting the court of last resort, decides in his favor, and you say that there is no security. I shall ask the yeas and nays on this question.

Mr. Bacon: Before the question is put, I will state a few reasons, briefly, that will assist me in my vote.

The President: There has been one name called. I hope the Senator will not violate the rules.

Mr. Bacon asked to be excused from voting, which the Senate permitted.

to the subrogation of the rights of Messrs. Huger and Jones; the former contractors to these gentlemen. If that be the case, I conceive that it would be almost a matter of impossibility on the part of the Legislature to rescind these laws, and it would be tantamount to that, unless you give the same rights to these gentlemen, as you give to Messrs. Huger and Jones. You have not yet had an opportunity of examining the bill; all I can gather is from the reading of these detached sections, and I therefore commend the bill (and I hope you will), that the further consideration of the bill will be postponed until Wednesday, and it then be made the special order of the day, and after that reading, the minutes, and that the bill be printed. Adopted.

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are perfectly willing that these parties should be substituted by legislative enactment, so as to give to the rights and privileges; and subsequently there was a subrogation to the present firms of Messrs. Huger and Jones. These gentlemen are entitled to the same rights as the former contractors, in addition to the fact that they have the history of the whole case of the Penitentiary, that as regularly as the Legislature meets, a bill is brought in for the relief of the lessees of the Penitentiary, and instead of being partly a self-sustaining institution, it is really a dead weight, and a constant drain upon the treasury of the State of Louisiana.