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DEBATES OF THE SENATE.

FRIDAY, February 25, 1870.

Senate bill No. 5—the militia bill, being under consideration.

Mr. Pinchback: I move to take up the bill, section by section.

Section one was read, and Mr. Ray moved its adoption.

Mr. Blackman: I move to strike out the words "not disfranchised."

Mr. Ray: I move to lay that motion on the table.

Mr. Blackman: Very well, just as you please.

The President: I hope before another year there will be none of us disfranchised. I have heard no second to the motion to strike out.

Sections two and three were adopted, and section four read.

Mr. Ray: I move to fill the blank with the word assessor. The amendment was adopted, and the motion as amended was adopted. Section 5 was read; several amendments offered by Mr. Campbell, were adopted.

Mr. Ray: I move to fill the blank in line——with the word five.

Mr. Futch: I move, as a substitute, to insert "one cent."

Mr. Ray: In the parish Ouachita, where we have twenty-five hundred voters, "one cent" would be only twenty-five dollars.

Mr. Futch withdrew his substitute.

Mr. Lynch: It seems to me one cent is sufficient. This assessor at the same time is making his assessment of the youth of the school age.

Mr. Ray: This is required to be done in thirty days. It is a separate business. The other enumeration has to be done by itself. Take the number of voters in your parish, and you will see at once that it could not be done for one cent. In the parish of Ouachita we have about twenty-five hundred, and of that number perhaps one-third would not be liable to military duty.

Mr. Futch: It will be remembered that this duty is to be performed by the Assessor, who already has a profitable office. He can well afford to do this for a nominal sum.

Mr. Ray: I must decidedly oppose the one cent arrangement, because I want this to be an efficient law, and if we fix it at a price that no one will do it, the law will not be effective.

Mr. Futch: Make it the duty of the assessor.

Mr. Ray: We can not compel him to do it. If you fix it at one per cent it can not be done, and the object of the law will be defeated. I think five cents is not too much, when we require it to be done in thirty days, and it will be at a time when the Assessor is not performing his other duties. In the country parishes it will not be, on an average, more than a hundred dollars. If it did not, very few persons would give their attention to it unless it was made obligatory. I therefore move to lay the substitute of Mr. Futch on the table.

Tabled.

Mr. Day: I move as a substitute to insert three cents.

Adopted.

Section six was adopted, and section seven read.

Mr. Blackman: Does that section provide that the Governor shall proceed to organize the militia immediately?

The President: Immediately on the passage of this act.

Mr. Blackman: Having read the section, I do not see the necessity of putting in the word immediately. I see no state of affairs existing in the State that requires the immediate organization of the militia; we are certainly not to be invaded by a foreign power—there is no armed resistance to the laws. I can see no necessity for the Governor's immediately proceeding to organize five regiments of infantry and three various companies of cavalry and infantry. If this is simply to provide a militia law, such as exists in every well regulated State, that they called out in cases of emergency, shall be under the direction of the Governor and shall only be armed and equipped when necessary, I should have no objection; but I see no necessity for this militia being organized immediately, interfering with the pursuits and avocations of men, and interfering with the agritultural interests of the State. I hope the word "immediately" will be striken out.

Mr. Antoine: It does not follow that because it reads in that way the Governor will call them out, except in cases of emergency.

Mr. Blackman: If the word "immediately" is left in there, he is bound to organize the militia at once, or disobey the law. I move the word be stricken out.

Mr. Campbell: I think the gentleman is frightened at nothing. It only provides that they shall be organized. There is nothing providing for the arming, equipping or calling them out immediately. We might as well not pass the law as not organize some regiments. It is what every State does that has a militia law at all. I move to lay the motion to strike out on the table.

Mr. Blackman: Upon that I call for the yeas and nays.

The vote being a tie, thirteen and thirteen, the President voted "aye," so the motion to strike out was laid on the table.

The section was adopted as amended and the sections to number seven inclusive adopted.

Section eight was read.

Mr. Futch: I move to amend the section by striking out the word "immediately" and insert "whenever he shall deem it necessary."

Mr. Monette: I move to lay the amendment on the table.

The Senate refused to lay the amendment on the table—yeas 12, nays 15.

Mr. Futch's amendment was then adopted.

Section eight was adopted as amended.

Sections nine and ten were similarly amended and adopted.

Section eleven was read.

Mr. Campbell: I move to fill the blank by inserting the words "one dollar and rations."

Mr. Day: What are rations?

Mr. Campbell: They are fixed, according to the army regulations of the United States.

Mr. Ogden: The amount is more than United States soldiers receive. I move it be cut down to fifty cents a day and rations; or I will offer a substitute that the pay be the same as in the United States army.

Mr. Campbell: I will state that that general provision is in the bill. But these cavalrymen are to furnish their own horses, and for that reason should have more pay.

Mr. Ogden: So far as their horses are concerned, I don't think it need excite any particular alarm. I know cavalrymen well enough to know that, even in the regular service, their horses are often gobbled up from the neighbors, and I am satisfied this militia will not only never lose an opportunity of robbing the planters of their horses and mules, but they will capture billy goats. (Laughter.) I don't desire to see this militia put in any better condition than the gallant army of the United States. If this bill is to establish a militia here, with all the rest of the regulations of the United States army, I think the principle of pay ought to be adhered to. The idea of giving these men a dollar a day and their rations, when the soldiers of the United States army only get about ten or fifteen, I think cavalry now get sixteen, seems to me it is raising an invidious distinction. It will be a great expense to the State, creating an entirely new occupation never heard of previous to the war.

Mr. Campbell: I have stated the reason why it is thought best by the committee to make this pay larger.

Mr. Ray: Is there not a provision in the regulations of the United States army when a cavalryman furnishes his own horse?

Mr. Campbell: I propose, now, to withdraw my original motion, and to insert the very same regulations which are obtained in the United States service, so that the cavalryman will be allowed forty cents per day for his horse.

The amendment was adopted.

(The debate on the militia bill was interrupted, after nineteen sections had been adopted, the time for the sitting of the Court of Impeachment having arrived. The bill passed on a subsequent day without further debate.)

Evening Session.

FRIDAY, February 25, 1870.

The special order of the day was called, being Senate bill No. 73 (the printing bill).

Section one was read.

Mr. Wittgenstein: Mr. President, in the first section, in line five, I move to strike out the word "Governor," and in line six, after the words "Secretary of State," the words "Speaker of the House of Representatives," so that it will read "Lieutenant Governor, Secretary of State, and Speaker of the House of Representatives."

Mr. Campbell: Would it not be better to strike out "Secretary of State," and insert "Speaker of the House of Representatives?"

The President: How would it do to strike out the "Lieutenant Governor?"

Mr. Ogden: I object to striking off the "Lieutenant Governor."

Mr. Todd: I second the motion to strike out the "Governor," and insert "chairman of the Committee on Penitentiary."

The President: His position expires with this session.

Mr. Todd: I am very sorry for it, and that is the reason I desire to give him some office.

Mr. Wittgenstein: Mr. President, I move to strike out the word "Governor" in line five and in line six, and insert the words "Speaker of the House of Representatives."

Mr. Pinchback: I propose to second the motion to strike out "Secretary of State" and insert "Speaker of the House of Representatives."

Mr. O'Hara: Mr. President, I move to lay that motion on the table.

Mr. Todd: Mr. President, I move to postpone this section for the present, and pass to the next.

This motion was adopted, and section two was read.

Mr. O'Hara: Mr. President, I move to lay this section on the table.

Mr. Futch: Mr. President, I do not know but what the next Legislature will be as wise as ourselves—at least we have no right to anticipate that they will not be; and thinking so, I make the motion to indefinitely postpone the bill. This, I think, is no time to enter into a new contract for printing.

Mr. O'Hara: The old one is a nuisance and everybody is tired of it; we want a new printer at the next Legislature. I make the motion, Mr. President, to lay the motion to postpone on the table.

The yeas and nays were called on the motion to table, and it was carried by the vote of 14 to 11.

Section two was adopted and section three was read.

Mr. Poindexter: Mr. President, now if we adopt the first section I am willing to vote for the bill, but if you are going to adopt the second section without adopting the first, I am going to vote against it all the way through, because the third section says the same thing as the first section.

Mr. Wilcox: Mr. President, I move to strike out in line ten, the words "Secretary of State," and insert "Speaker of the House of Representatives," so as to make it correspond all the way through.

Mr. Day: Mr. President, I move to strike out the words "Governor, Lieutenant Governor and Secretary of State" wherever they occur and leave it in blank until the bill is adopted. The only difficulty seems to be as to who shall make this contract. I merely wish to open the way and let the bill pass first and this matter can be all arranged after the bill is adopted.

Mr. O'Hara: Mr. President, I move to lay the motion of the Senator on the table.

The President: I heard no second to the Senator's motion to strike out.

Mr. Futch: Mr. President, I move to strike out the words "by unanimous consent" and insert the words "or a majority of them," in line eleven, section three.

Mr. Smith: Mr. President, I move to strike out the whole section.

Mr. Futch: Let us strike out by degrees and not all at once.

Mr. Day: Mr. President, we have to strike out something else, or it won't make sense.

Mr. Ogden: Mr. President, I rise to a question of privilege. I am requested by the Senator from Terrebonne (Mr. O'Hara) to ask leave of absence for him for the remainder of the session.

The President decided this motion out of order at this time.

Mr. Campbell: Mr. President, there seems to be a diversity of opinion as to who these contracts shall be made by, and in order that we may come to some understanding, I move to postpone the further consideration of this bill until to-morrow evening at seven o'clock.

This motion was adopted.

Mr. Ray: Mr. President, I ask if there is any special order of the day—any special bill fixed. Mr. President, I did not rise to ask for any suspension of the rules, but if there be no special bill fixed for to-day, then I ask that the rule adopted the other day in the resolution of Senator Packard be carried out.

Mr. Ogden: Mr. President, I object, because it was not done this morning.

The President: I will state for the information of the Senator, that according to the spirit of the resolution, we have just now gotten through with the morning business, and the resolution applies at this time.

The Senate then proceeded to act under this resolution, which provides that each member, as his name is called in alphabetical order, shall have the privilege of calling up one bill or resolution.

Several bills were passed without debate. (See journal.)

Mr. Beares called up House bill No. 85, for the relief of P. J. Kennedy.

Mr. Wittgenstein: I move that this bill be now finally passed.

The yeas and nays were called.

Mr. Lynch, when his name was called: Mr. President, I would like to explain my vote.

Mr. Ogden: I ask the unanimous consent, Mr. President, to allow the Senator to explain his vote.

Mr. Lynch: I vote yes. Mr. President, I would like to explain my vote. I would simply say that the two objections on which I opposed the bill before have been overcome. One was a constitutional objection that there was a provision in the bill to meet an indebtness, and as to the other objection, I was under a misapprehension in regard to the contract, and a memorial rendered by a large number of taxpayers influenced my opinion. My opinion now is, that as it stands now, it is a just claim, and therefore I vote for it.

The bill passed by a vote of 18 yeas to 6 nays.

Mr. Braughn called up the substitute for Senate bill No. 104, to be entitled "An act in addition to the laws now in force relative to the registry of births and deaths, having for its object the registry of all marriages in the office of Recorder of Births and Deaths in the parish of Orleans, and providing for the issue of marriage licenses."

Mr. Braughn: I desire, Mr. President, to offer an amendment.

The Secretary read the following:

In lines four and five of section six strike out the words "the exclusive right for," and insert in lieu thereof the words "concurrent powers with other officers now designated by law in."

Mr. Braughn: Mr. President, I will explain this matter. As the law now stands Clerks of Courts and Justices of the Peace of the parish of Orleans have the power to issue marriage licenses. The bill as it is printed, takes away that power from the Clerks and the Justices of the Peace, and confers it exclusively on the Recorder of births, deaths and marriages. The object of my amendment is to give concurrent power to the Recorder with the Clerks of Courts and Justices of the Peace, in this respect. It seems to me that if we leave it as it is printed in the bill, it would work a complete revolution, which in time, would lead to misapprehension and trouble and would be a deprivation of the emoluments of office of the Clerks of Courts and Justices of the Peace. I propose to give them the same power as the Recorder of births, deaths and marriages. I, therefore, move the adoption of this amendment.

The amendment was adopted and the bill finally passed as amended.

Mr. Campbell's name was then called, and he called up Senate bill No 209, to be entitled "An act to amend and re-enact sections eight and nine as amended in section one of an act entitled an act to amend an act entitled an act to amend 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, approved February 26, 1866."

Mr. Campbell: Mr. President, I have an amendment to offer to the first section.

Mr. Ogden: Mr. President, has the bill ever been printed?

The President: The Chair is not able to inform you.

The Secretary: No, sir.

Mr. Ogden: I move that the bill be referred to the Committee on Corporations.

Mr. Campbell's proposed amendment was read, as follows:

"The Governor is hereby empowered to fill all vacancies which may occur in any municipal office of the city of New Orleans, by reason of the expiration of the term of the incumbent, or any other cause. Such appointees shall hold their offices until their successors shall be elected at the November election, and are duly qualified."

Mr. Campbell: That bill, Mr. President, merely provides that any vacancies existing between now and the next election shall be filled by the Governor.

Mr. Ogden; Yes, that's all very nice, Mr. President, this bill I understand has never been printed, and Senator Braughn and myself, as well as other Senators representing Districts of the city are anxious to see the bill. In addition to that I learn that it has never been referred to any committee. I, therefore, move to refer it to the Committee on Corporations, and that the Secretary be instructed to have printed copies laid on our tables.

Mr. Campbell: We know very well, Mr. President, that the printer generally takes a week to furnish us with a bill. I move to lay the Senator's motion on the table.

The yeas and nays were called, and the motion to table was carried by a vote of 19 yeas to 9 nays.

Mr. Ogden; I move to adjourn.

Mr. Campbell; I now move that the bill be considered engrossed for a third reading.

Mr. Ogden; Mr. President, I insist on my motion to adjourn. I claim that until the chair has recognized a Senator, either by District or by name as having the floor, that no Senator is precluded from making any motion.

The President; I conceeded the floor to the Senator from the Second District, (Mr. Campbell.)

Mr. Campbell: I call for the previous question.

The main question was ordered, and the yeas and nays were called on the motion to adopt the section.

The Chief Clerk of the House was announced with a message from the House.

The President: Let him wait a minute, we are taking a vote now.

The section was adopted as amended, by a vote of 16 yeas to 9 nays.

The message from the House was received.

Mr. Wittgenstein: Mr. President, I now move that the bill be adopted as a whole as amended on the second reading, and upon that I call for the previous question.

Mr. Braughn: Mr. President, I think that is highly improper and unfair, at this time, to gag the representatives of the city in a measure of this kind, when they are more interested than the gentlemen from the country. If the gentleman will withdraw his motion, I will move to postpone for reasons which I shall assign.

Mr. Campbell: I shall not withdraw my second to the motion of the previous question.

The main question was ordered, and the bill adopted as a whole as amended, on its second reading.

Mr. Campbell: Mr. President, I now ask that the bill be considered engrossed for its third reading.

The yeas and nays were called, and the motion prevailed by a vote of fourteen yeas to nine nays.

Mr. Campbell: I now move to suspend the rules to pass the bill to its third and final reading.

Several Senators objected.

Mr. Campbell: Then I move to make the bill the special order for to-morrow immediately after the reading of the minutes.

This motion was declared out of order, and no further action was had on the bill.

Mr. Coupland called up House bill No. 61, "An act to lease the New Orleans City Waterworks," etc.

Mr. Wittgenstein: I ask for a suspension of the rules to put the bill on its second reading.

Mr. Todd: This subject, Mr. President, has been reported on by the Committee on Waterworks.

The bill was taken up section by section, and the first section read.

Mr. Bacon: Mr. President, this first portion is equivalent to a separate section. I want to amend by inserting the words "not less than" before "one hundred thousand." The proposition that I make is to amend so as to use the words "not less than one hundred thousand dollars," in line four of the first subdivision of the section. If you specify any particular sum you almost designate the particular person who shall have the lease.

Mr. Pinchback: Mr. President, I hope the Senate will not agree to this amendment. The object and the only interest of the framers of this bill is to secure the introduction here of a patent by which filtered water can be secured and raised to the tops of the highest houses. We desire to see these capitalists come here and do this. They expect, of course, to make it pay them, and they would not take the contract unless they could get some such assurance. If you make not less than $100,000, you say to the City Council, make it what you please, and in all probability they might fix it so high that nobody would take the contract. I can furnish the figures to show that the rent of $100,000 a year will not only pay the interest on the $1,400,000 bonds, but leave a bonus of $30 000 to be invested annually as a sinking fund for the extinction of the debt. It seems to me that this is a very fair proposition, indeed, and if you examine this bill you will find that you can not give this contract to any particular party, because the city is authorized to put it up at auction; they go into the market against all competition and bid for it. The bill, it seems to me, recommends itself to every Senator on this floor and everybody here interested in this city. These gentlemen propose to bring the water to the top of the highest buildings in the city, and to filter it.

Mr. Bacon: Mr. President, I ascertain that the only objection I had against the bill is covered by a subsequent section, so I withdraw it.

Section one was adopted and section two was read.

Mr. Wittgenstein: Mr. President, I move to postpone this bill till to-morrow.

Mr. Pinchback: Mr. President, I hate to see such a spirit on the part of members from the country, when they have no interest whatever in a measure like this.

The remaining sections of the bill were adopted, and a motion made to adopt the bill as a whole.

Mr. Braughn: Mr. President, I rise to second the motion to adopt the bill as a whole, and in further explanation, I wish to offer a few remarks. This bill was reported by the Committee on Drainage of the Senate, composed of Senators Todd, Monette and myself, of which committee Mr. Todd was chairman, as a substitute for a bill referred to this committee, and introduced by Senator Campbell. That bill provided for the management of the Waterworks by a Board of Commissioners to be appointed by the Governor. In the opinion of the committee it was thought that such a law as that would not bring any relief, and that committee, in order to represent their views on the subject have reported this bill, and I dare say that there is not a Senator on this floor, after having heard this bill read, will object to a single section or a single word in it. I may safely predict, that among all the bills that have come before us for legislation, there is not one more fair or satisfactory than this one. It will not only give us pure healthy water, and force it to the highest story of any house in the city, but it will guarantee to the people that they will not be compelled to pay any more for water than the citizens pay in any city in the West. Those who live in the city understand how we have been treated in regard to the water rates, and the miserable and defective water that we have been compelled to accept, first from the Waterworks Company, and now from the City of New Orleans. In addition to that, the bill authorizes this city to advertise this contract, and to sell it to the highest bidder. It is not a bill to favor one party or another, but it provides for a sale at public auction, and it further provides that the parties shall give bonds in the sum of $250,000 for the faithful execution of their contract, and provides that they shall pay $100 000 a year to the city; and further obligates the contractors to make improvements annually of no less than $25,000 a year. Thus it will be seen, Mr. President, that in addition to pure and healthy water, forced to the topmost story of the highest building in the city—in addition to the sale by auction, so as to give every one a chance, it gives annually a rent not alone sufficient to pay the interest on the bonds issued by the city for the purposes of the Waterworks, but it actually creates a sinking fund, out of which this debt will ultimately be extinguished. For these reasons, Mr. President, I hope that no impediment will be thrown in the way of the passage of this bill, and that it may go to the House as soon as possible.

The bill was finally passed.

Mr. Futch called up Senate bill No. 204, "An act to reorganize the State Land office, and to provide for the disposition of public lands, and for the survey of unsurveyed swamp lands."

The bill was read section by section, and the first three sections were adopted, and section four read.

Mr. Lynch: In line twenty-one, I move to strike out the words, the "sixth day of each regular term," and insert in lieu thereof the words, "twentieth day of December of each year," so as to make it read, "on or before the twentieth day of December each year."

The amendment was adopted, and the section adopted as amended.

Section five was adopted, and section six was read.

Mr. Wilcox: Mr. President, before this section is adopted, I would like to suggest to the chairman of the Finance Committee that we ought to add a clause somewhere to the effect that the sales made by the Register of the Land Office should be published once a week, at least, so that we may know what we are doing, in the official journal of the State.

Mr. Lynch: I would suggest, Mr. President, that I really do not see the advantage of this. I will say, Mr. President, that whenever a person wishes to buy land and finds that certain land is for sale, he goes to the Register's office and says: "I want to buy such and such land." The Register describes the land by boundaries and gives the certificate to the party. He then takes this certificate to the Auditor's office and there a warrant is issued for the amount of the purchase money. The person then goes to the Treasurer's office and pays the money; the Treasurer gives a receipt on the back of the certificate, describing the land purchased by township, range, etc. The party then returns with the certificate of the Treasurer to the Register of the Land Office and receives his patent. The Register then returns to the Auditor's office a list of all the lands sold, and land so sold is then to be put on the tax list.

Mr. Wilcox: That is all very proper, Mr. President; but would it not, also, be proper to let the Register publish, once a week, the amount of land sold?

Mr. Lynch: It seems to me that this would be a useless expense.

Mr. Wilcox: I think it would be a satisfaction to the people of the State to know what is being done.

Mr. Lynch: The report of the Auditor will show, if there is anything to be gained by that. I move the adoption of the section.

The sections from six to twenty-one were adopted without debate. (See journal.)

Section twenty-two was read.

Mr. Lynch: I move, Mr. President, to amend by inserting, in line seventeen, after the word "existing," the words "United States," so that it will read "existing United States laws." I move also to strike out the balance of the section, commencing with line nineteen.

Mr. Todd: How do you propose to have the surveys made?

Mr. Lynch: Mr. President, I will explain. The only way to have the surveys conform to those of the United States, is to proceed under the United States law, which provides that if an individual wishes to have certain land surveyed, he makes an application to the Surveyor General describing the land, and the Surveyor General makes the estimate of the expenses of the survey. It is then necessary, according to the laws of the United States, when the Surveyor General has furnished the estimate of the cost of such survey, that the party wishing the survey, deposit in the United States treasury the amount of money according to the estimate of the Surveyor General, deposited in the treasury of the United States, specifying the land to be surveyed, and specifying how much for field work, etc.

The party depositing the money gets triplicate receipts; one is given to the Secretary of the Treasury, one is deposited in the office of the Surveyor General of the United States, and one is kept by the party himself. The survey is then made according to the laws of the United States. After the survey is made, return is made to the Surveyor General, the account is made out and a draft on the United States Treasury sent to the party making the survey. Then, if the amount deposited by the party in the first place exceeds the amount of the cost of survey, the surplus is refunded to him. The only way, then, to have these lands here surveyed in accordance with the laws of the United States, is for the State to ask the Surveyor General of the United States for the survey, and to deposit in the United States treasury the estimated cost of the survey. The survey will then be made so as to conform to the subdivisions of the United States surveys. I will state, Mr. President, that a large amount of unsurveyed swamp land, turned over to the State of Louisiana unsurveyed, has been settled upon, and the settlers are unable to get a title to the land, because it is not surveyed.

The object of this bill is simply to have these lands surveyed, so that the parties who have settled and made improvements upon them, may acquire title to the land, and the Surveyor General of the State is the only representative between them and the United States.

The amendment was adopted, and the section adopted as amended.

Mr. Lynch: I wish to explain, Mr. President, that this money received for the purpose of making the survey, is forwarded to the United States treasury, and the surplus remaining after the survey is completed, is returned to the party applying for the survey.

The bill was finally passed.

Mr. Jenks called up House bill No. 123, "An act for the relief of E. H. Angomar and Charles Izard," etc.

Mr. Day: Mr. President, I would like to have some explanation of this bill. If the claim of these gentlemen is just and proper, I will vote for it. I do not wish to throw any obstacles in the way, but merely want some explanation.

Mr. Ray: I will state, Mr. President, in regard to this bill, that before it passed the House an elaborate report was made by a committee of the House. I have re-examined the evidence submitted to the committee of the House, and found it to sustain the report. Messrs. Angomar and Izard were, by recommendation of the previous Levee Board, appointed commissioners to go to Washington City and New York. They spent a great deal of time and money, and would have accomplished their purpose, if the Legislature had carried out the purpose for which these commissioners were appointed. All that they ask is a fair compensation for their time and a return of the money expended.

The bill was finally passed.

Mr. Lynch called up Senate bill No. 237. "An act to legalize the sales of State lands made by W. B. Armstrong as Commissioner and Register of the State Land Office during his term of service."

Mr. Lynch: Mr. President, I wish to make an explanation. Those persons who bought land, and paid the purchase money to the Register, without the money being paid to the Treasurer, and for which money the Register is a defaulter, it is doubtful whether they have a good title to their land. The Register received this money under false pretences, and I do not think that the title is good; still it would be hardly fair that these innocent parties, who bought their homes and paid their money for them, should be in doubt as to their titles; and the object of this bill is to make the title good for those who paid the purchase money to this defaulting Register. I believe there can be no objection.

Mr. Futch: I would ask the Senator this—I have understood that this Register has sold land that was entered during the days of the Confederacy, and to legalize these sales, I think, would be unconstitutional.

Mr. Lynch: I do not wish to cover anything of that kind.

Mr. Futch: I would ask, Mr. President, whether this bill will really accomplish the purpose for which it is intended? It provides for the legalization of sales made "according to law." As I understand the object of this bill, it is to enable parties to acquire title to land, purchased, not "according to law," but in good faith.

Mr. Packard: Mr. President, I will explain this. If the Register has made sales in pursuance to law, there is no necessity for this bill; but if he has sold it contrary to law, and it has been purchased in good faith, there is. The fact of the purchase money having been paid to the Register, if the law provides it to be paid into the State treasury, is what we want to provide for. There is, I think, this point of legality, that the money should have been paid to the State Treasurer, and not to the Register of the Land office.

Mr. Lynch: I move to strike out the last clause.

Mr. Bacon: Mr. President, if it is proposed to pass this bill and homologate the proceedings of this defaulting officer, postpone all investigation, and allow him to go away with the money, we leave the door open, and his successor may, perhaps, pursue the same course.

Mr. Lynch: Mr. President, I will state that this officer makes no concealment of his transactions, and he is now making every effort to pay the money which he has received by the sales of these lands into the treasury of the State. He paid nine hundred dollars yesterday, and expects to pay every cent that he has collected. I do not wish to screen him or any other defaulting officer, but the object of this bill is simply to enable the purchasers to acquire titles to the land purchased by them in good faith, and for which he received the money, he receiving it under false pretences.

Mr. Bacon: Mr. President, I have no objection; but it struck me as a good opportunity, as an opportune moment to make the inquiry, as the other day we had before us a resolution to address him out of office, which was postponed.

Mr. Lynch: I will state further, Mr. President, that proper inquiries have been instituted to ascertain the amounts collected by this officer, and that our main object is to get the money back.

Mr. Lynch's amendment was adopted, striking out the clause "and such sales made according to law."

The bill was finally passed.

Several bills were acted upon without debate, and the Senate adjourned.

Persons curious about the wages of royal folk abroad may find it consolatory to know that there is paid to Alexander II., $8,250,000, or $25,000 a day; Abdul Aziz, $6,000 000, or $18,000 a day; Napoleon III., $5,000,000, or $14,219 a day; Francis Joseph, $4,000,000, or $10,050 a day; Frederick William I., $3,000,000, or $8,210 a day; Victor Emmanuel, $2,400,000, or $6,840 a day; Victoria, $2,200,000, or $6,270 a day; Leopold, $600,000, or $1,643 a day. In addition to this salary, each sovereign is furnished with a dozen or more first-class houses to live in without any charge for rent.—*Harper's Bazar.*

"Drown the Jews" is the battle-cry of the Legislature of Roumania, uttered amid approving shouts by one of the political leaders of that country.

DEBATES IN THE HOUSE.

WEDNESDAY, March 9, 1870.

House met at seven o'clock P. M.

Speaker Carr occupied the chair.

Mr. Garstkamp: I move that the House now resolves itself into a Committee of the Whole for the purpose of considering the revenue bill.

Speaker Carr: This bill was under consideration in Committee of the Whole at the hour of adjournment yesterday, and, as it is one of those designated in the Governor's proclamation convening the General Assembly in extra session, must be given precedence.

Mr. McVean: I move to postpone it for half an hour.

Mr. Lott: Mr. Speaker, I ask for this bill to be postponed for fifteen minutes.

Speaker Carr: The Chair has already decided that it shall have precedence over all other business.

Mr. Isabelle: This assumed authority set forth in the proclamation is all moonshine.

Speaker Carr: With that the Chair has nothing to do. But the Chair knows his duty, and will perform it to the best of his ability.

Mr. Garstkamp: I call for my motion to go into Committee of the Whole.

The motion prevailed.

Speaker Carr: The House having resolved to go into Committee of the Whole, the gentleman from St. James, Mr. Gray, will take the chair.

Mr. Gray in the chair.

The Chair: At a previous session of the committee, the first nine sections of this bill were disposed of. The tenth section is therefore before the committee.

Mr. Garstkamp: Before the hour of adjournment yesterday, I made a motion to strike out the tenth section. I now renew it, and I wish to say a few words in explanation. My reason for offering this, is, that I think it creates an office which will conflict, if passed, with the office of Auditor, and may consequently do a great deal of harm and damage. The bill in other respects, I believe to be a good one, and I am opposed to having this in it for fear it may defeat the whole bill.

Mr. Harper: I understood, Mr. Speaker, when this bill was in the hands of the Committee of Ways and Means that they were engaged in framing a revenue law for the State of Louisiana, by which and through which the revenue necessary to carry on the government was to be obtained. But on examining the work of the committee, I find that they have been doing something else.

Mr. McMillen: If the gentleman from St. Charles will excuse the interruption, I will state that the gentleman from St. Bernard is the author of the bill, and not the committee.

Mr. Harper: I accept the explanation, although it matters little to whom the honor of its paternity belongs. This tenth section proposes to create an expensive office—to take five thousand dollars out the treasury of the State, and it places this Commissioner of Revenue over the Auditor and Treasurer. It really makes the latter but a messenger to an officer not elected by the people, but appointed by the Governor. If our laws are to be based on the theory that all power should be taken from the people and vested in a single man, then we might as well abandon all idea of maintaining a republican government. I am opposed to this centralization, because I consider it inimical to the spirit of which our institutions were born. I am opposed to it in this case for another reason, and that is because I do not consider the interests of the State demand the creation of this office. The tax-gatherers might as well attend to the whole business at once, but the office of Treasurer has been created to act as a check on the tax gatherers; then the office of Auditor was made to serve as a check on the Treasurer; and now it is proposed to add another check, in the person of the Commissioner of Revenue, on whom will devolve the duty of looking after the Auditor. It might be pertinent to ask, who will watch the Commissioner to see that he does not deviate from the narrow path of official righteousness? If this Commissioner is to be constituted a watch-dog to watch the Auditor, why not place a watch dog over every other officer in the State? I am satisfied there are many excellencies in this bill, and I would like to vote for them, but unless I am assured that this tenth section, and everything relative to it, is stricken out, I will be compelled to vote against the bill as a whole.

Mr. Heidenhain: I am surprised, Mr. Speaker, that a gentleman as intelligent as the Representative from St. Charles should raise such objections to this section. I consider it one of the very best sections in the whole bill, and I earnestly trust that it will not be stricken out without due consideration, and for better reasons than those adduced by its opponents upon this floor. This is intended to create an officer whose duty it will be to guard sacredly the finances of the State. When you pass this, you will have thrown around the treasury a permanent shield, and have rendered the taxpayers a substantial benefit. If, as some of the gentlemen complain, it will take $5000 out of the Treasury, it will pay $100,000 into it. The good that will arise from its passage can not be easily computed at this time. If the gentlemen do not understand this section fully, let us pass it over, and give those who desire it, ample time to examine it in all its aspects. It will stand an examination, and I hope, gentlemen, you will not act hastily in this very important matter. As I have said, let us take it home and read it carefully. For my part I have studied it carefully, and I am in favor of it, heart and soul, because I am a taxpayer.

The Chair: The question is, "Shall the tenth section be stricken out?"

The yeas and nays were called for, and on a count of the vote the motion to strike out prevailed.

Mr. Harper: I move, Mr. Chairman, that the committee do now rise and report this bill back to the Committee of Ways and Means, in order that it may be rearranged and that everything pertaining to this Commissioner of Revenue may be erased. I am not opposed to this bill as a whole, and if this objectionable feature was removed I think I could support it without further reserve.

Mr. Reese: I am sorry to see that the House has made such a grave mistake as to strike out section ten. I hope the House will refuse to accept this, or at least that the committee will reconsider their action.

Mr. Morey: We are now in extraordinary session—called here for the purpose of transacting certain business, and I hope our attention will not be turned aside from this specific business until we have finished it satisfactorily. We are now in Committee of the Whole, and this is the proper committee for the consideration of this bill; I hope it will not be sent back to the Committee of Ways and Means. If this section is to be stricken out—and I would be very sorry to see it—let it be done here and now.

Mr. Harper: My reason for offering this motion is that there are a great many details in this bill into which is woven the duties of the commissioner, we have just resolved to dispense with, and I would not like to undertake the transfer of those duties to the Auditor or Treasurer. I see there are many important functions given to the commission, which, I think, ought to be transferred to either of the officers named, and I would like to have this duty imposed on the Committee of Ways and Means, which is familiar with all these details.

Mr. Morey: We can delegate the powers of the commissioner to the Auditor, if we determine not to create that office. In most of the States there are three financial officers, Treasurer, Auditor and Controller. This Commissioner of Revenue was only meant to correspond with that of Controller in other States, and I feel certain if the committee understood this matter fully, there would be no objection to this section at all.

The motion to refer it back to the Committee of Ways and Means prevailed.

Mr. Garstkamp: I move we now take up and consider the appropriation bill.

Carried.

After considering this bill at some length, it was referred back to the Committee on Ways and Means.

After the transaction of some other business, on which there was no debate, the House adjourned.

THURSDAY, March 10, 1870.

The House met at eleven o'clock A. M., pursuant to adjournment.

Speaker Carr in the chair.

The Speaker: The first business in order is to consider, in Committee of the Whole, House bill No. 237, an act making appropriations for the general expenses of the State for the year ending the thirty-first day of December, 1870.

Mr. Dewees: I oppose going into Committee of the Whole.

The Speaker: The House must go into Committee of the Whole. This bill was pending when the House adjourned, and under the Governor's proclamation and rule of the House, is one of the bills which takes precedence.

The House went into Committee of the Whole to continue consideration of the bill. Mr. Heidenhain, of Orleans, called to the chair.

The item first in order was that providing for State printing and advertising.

Mr. Garstkamp: Mr. speaker, I offer the following amendment, and move it be recommended to the House for adoption:

Strike out the two hundred and fifty-first and two hundred and fifty-second lines, and insert "For printing and advertising, one hundred and ten thousand dollars ($110,000), provided, that no newspaper having the benefit of this appropriation shall receive any pay unless printed and published in the parish where the work is contracted for; provided, that the act effecting revision of the Statutes, passed during the session of 1870, shall not be published at the charge of the State in any newspaper, and for printing the Revised Statutes under act No. 131, of 1869, five thousand and eighty-eight dollars ($5088); for printing the Civil Code, under act No. 131, of 1869, twenty-two hundred and forty-eight dollars ($2248); for printing the Code of Practice, under act No. 131, of 1869 nine hundred and twenty dollars ($920.)

Mr. Lee: I hope the amendment of the gentleman from Jefferson will be favorably considered, for without some such proviso the revision of the statutes and printing the codes will cost the State at least one million of dollars.

The amendment of Mr. Garstkamp was recommended for adoption.

Mr. Garstkamp: Mr. Chairman, I move to strike out the item appropriating the sum of six thousand four hundred dollars to pay the interest on the bonds authorized to be issued in favor of the Bœuf and Corcodile Navigation Company, under act No. 146 of 1870. I do not think money ought to be appropriated to meet the interest on bonds which have not yet been issued and are not in the market.

Speaker Carr. Mr. Chairman, I trust the proposition of the gentleman will not prevail. These bonds have been authorized to be issued by an act of the General Assembly, and the interest provided for will will fall due this year. Under such circumstances, it is the duty of the Legislature to make provision to meet this interest. It is bad grace to authorize the issuance of interest-bearing bonds, and not appropriate the necessary funds to pay the interest when it falls due. I hope, therefore, the motion of the gentleman will not prevail.

The motion of Mr. Garstkamp did not prevail.

Speaker Carr: Mr. Chairman, I move that the item making an appropriation for the support of the Charity Hospital in New Orleans be so amended as to make the amount $100,000 instead of $85,000. I do so because this noble institution is in need of the additional amount I propose to give. It may not be generally known that all those patients which were at the Marine Hospital when the Freedmen's Bureau was abolished were transferred to the Charity Hospital, which, as a matter of course, increased the expenses. The sum of one hundred thousand dollars is not a cent too much. There are now in the Charity Hospital upwards of nine hundred patients. Besides this, the appropriation given last year was paid in large warrants, and had to be sold at a heavy discount. The testimony adduced before the High Court of Impeachment, in the trial of ex-Auditor Wickliffe, relative to the efforts to obtain smaller warrants, and the peculiar fleecing that was then perpetrated, is familiar to this House and the public. The Hospital is also in debt at present to the amount of $25,000.

The amendment of Speaker Carr prevailed.

Mr. Brewster: Mr. Chairman I send up an amendment by way of an additional item, appropriating the sum of $2000 in aid of the Public School Association of Monroe, Ouachita parish, and hope it will meet with the favorable consideration of the committee.

Mr. Murrell: I am opposed, Mr. Chairman, to the adoption of any such amendment as the one proposed by the member from Ouachita. In the first place, the public schools are already provided for in the education bill; in the second place, this school association does not need the money, and if I am not mistaken the gentleman himself is interested in, or is one of the incorporators of this association. Besides, sir, I remember when the gentleman was opposed to mixed schools. Let the amendment be rejected.

Mr. Brewster: The member is mistaken when he says I am one of the incorporators in the bill incorporating this Public School Association, and I am interested in it only as a friend of education. I am not opposed to mixed schools, as the member asserts, and I will venture the assertion that I have done more to advance the cause of education in behalf of the colored children than the member himself.

Mr. Garstkamp: I hope the amendment will not prevail, as the public schools have already been provided for, and I am opposed to any such "dodges" as this.

The amendment of Mr. Brewster was lost.

Next item for consideration was submitted by Mr. Gray, Chairman of the committee on Public and Charitable Institutions, which was to appropriate to the Shreveport Medical and Surgical Institution the sum of $10,000.

Mr. Gray: Mr. Chairman, this institution is similar to the Charity Hospital in New Orleans, and is one deserving of aid from the State. I trust the amendment will be favorably considered.

Mr. Sterrett: This institution, Mr. Chairman, is well worthy of this proposed appropriation. It is well conducted, and has been the means of a great deal of relief to the sick and destitute and friendless. Those who need assistance, whether they come from Caddo parish or surrounding parishes, or from the steamboats, regardless of race, are kindly cared for at this institution. In performing these acts of charity, much money has been expended,