New Orleans Republican.

FFICIAL JOURNAL OF THE UNITED STATES

OFFICIAL JOURNAL OF NEW ORLEANS

OFFICIAL JOURNAL

OF THE

PROCEEDINGS OF THE SENATE

FIRST SESSION

OF THE

SECOND GENERAL ASSEMBLY

OF THE

STATE OF LOUISIANA.

Forty-Fourth Day's Session.

SENATE CHAMBER,
Thursday, February 23, 1871.

The Senate met pursuant to adjournment.

Present: Hon. O. J. Dunn, Lieutenant Governor and President of the Senate, and Messrs. Anderson, Antoine, Barber, Blackman, Bowman, Butler, Campbell, Coupland, Daigle, Fish, Futch, Gallup, Harris, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Lynch, McMillen, Noland, O'Hara, Pierce, Pinchback, Ragan, Ray, Smith, Swords, Sypher, Thomas, Thompson, Todd, Twitchell, Whitney, Wilcox—36.

Prayer by the Chaplain.

The minutes of the previous day's session were corrected and their reading dispensed with.

REPORTS FROM EXECUTIVE DEPARTMENTS.

Mr. Campbell, State Land Register, submitted the following report:

To the Honorable the Senate and House of Representatives of the State of Louisiana:

In accordance with section two of act No. 35, extra session of 1870, approved March 16, 1870, I submit the following statement of the disposition of the contingent fund appropriated for the benefit of the State Land Office for the year 1870:

	Dr.
Auditor's warrant	$300 00
Auditor's warrant	100 00
Auditor's warrant	100 00
Auditor's warrant	500 00
Auditor's warrant	400 00
Auditor's warrant	30 00
Total amount drawn	$1,430 00
	Cr.
Discounts on State warrants	$218 80
Moving furniture and records	9 25
A. Keller, digest	5 00
W. Wilson, carpenter's work	57 50
W. Wilson, repairing office chairs	3 50
C. C. Hartwell, gas fitting	46 00
J. W. Madden, copying press	21 25
New Orleans Picayune, subscription	16 00
F. Keller, land laws	3 50
W. Wilson, locks and fitting	16 00
Mitchell, Craig & Co., chairs	24 00
C. C. Haley, stationery	69 35
P. O'Donnell, printing	7 00
New Orleans Bee, subscription	16 00
New Orleans Times, subscription	16 00
Z. Epstein & Co., towels	2 25
George Hite, key	75
J. Finnegan, ice	1 20
Surveyor General, sketch	5 00
P. O'Donnell, printing	24 50
C. C. Hartwell, repairing water cooler	1 00
W. S. Mudgett, ice	4 00
Incidentals for office	19 90
Ice	1 50
C. C. Haley, stationery	42 50
Hays & New, legal services	400 00
C. Tyler, coal	5 00
Surveyor General, three maps	57 75
Stetson & Armstrong, stationery	7 00
P. O'Donnell, binding, etc	54 90
P. R. De Verges, coal and cartage	1 75
J. W. Madden, stationery	3 35
C. C. Haley, stationery	23 00
New Orleans Republican, subscription	16 00
New Orleans Republican, advertising	4 50
Nine months care of office	225 00
Total amount expended	$1,430 00

Respectfully, your obedient servant,
HUGH J. CAMPBELL,
Register State Land Office.

Land Office, New Orleans, Louisiana, January 1, 1871.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
Office of Chief Clerk,
New Orleans, February 23, 1871.

To the Honorable President and Members of the Senate:

GENTLEMEN—I am directed by the House to ask the concurrence of the Senate in the following:

House bill No. 15, an act to incorporate the Roncal Water Power Manufacturing Company.

House bill No. 165, an act for the improvement of the navigation of Bayou Lacombe.

House bill No. 63, an act to incorporate the France Amis Benevolent Association of New Orleans, Louisiana.

House bill No. 74, an act for the relief of E. North Cullom, of the parish of Avoyelles, and for other purposes.

House bill No. 161, an act for the improvement of the rivers Tchefuncta and Bogue Talia.

House bill No. 55, an act to prevent frauds in the sale and shipment of cotton at the port of New Orleans, and to provide and regulate the inspection thereof.

House bill No. 22, an act to amend and re-enact sections one, three and five of an act entitled an act to provide for the removal of obstructions in Bayou Bartholomew and to improve the navigation of the same, and making an appropriation therefor," approved March 5, 1871.

No. 163, an act granting wharf privileges to James H. Crosgrove, of Natchitoches parish.

No. 198, an act to amend and re-enact an act entitled an act to regulate the oyster fisheries on the bays and coasts of the State of Louisiana, being act No. 18 of the regular session of 1870.

No. 262, an act providing for the removal of obstructions in Bayou Bleu, in the parish of Lafourche.

No. 113, an act supplementary to the several acts relating to the town of Tangipahoa, fixing the salary of the mayor and councilmen, and granting to said mayor and council certain powers.

No. 286, an act to renew the corporation of the town of Wingfield, in the parish of Winn, to provide for the government of the same, and to repeal all laws heretofore enacted on the same subject matter.

House bill No. 186, an act to incorporate the Draining Company of New Orleans, to provide for the drainage of New Orleans and the neighboring parishes, to make a protection levee from the land excavated by the drainage and the construction of said levee, and fix a compensation therefor, to expropriate the land necessary for the purpose, lay out, construct and equip a shellroad and railroad on the same, give the right to sell said land when reclaimed, and to charge toll on said shell and railroad, and to repeal the act known as the Ship Island Canal bill, passed March 2, 1869, and act amendatory thereto, approved March 17, 1870.

And to inform the Senate that the House has concurred in Senate bill No. 4, an act to be entitled an act for the relief of Norbert F. Scopini and Francis Lattier, and to pay the damages due and assessed on the tenth day of May, 1869, under the provisions of an act to provide for the making of a cut off at Scopini's point, on Red river, approved on the thirteenth of March, 1860.

Also, to ask the signature of the President of the Senate to the following enrolled bills:

An act to extend the limits of the corporation of the town of Minden, and to give the corporate authorities thereof the exclusive control of the license and sale of intoxicating liquors within said limits, and the disposition of the revenues arising therefrom.

An act creating a commission to locate the site of a new State House in the city of New Orleans, to purchase the necessary grounds therefor, and making an appropriation to pay for such grounds, and to build a State House and other buildings necessary for State purposes, and improving the same.

An act to redistrict the parish jury wards of the parish of Livingston.

An act ratifying and confirming a contract between the Louisiana Levee Company and the Governor of the State of Louisiana.

An act to create a Board of State Engineers.

An act to compensate John Ray for superintending the printing of the Revised Civil Code of Practice, and compiling a digest of the statutes of the State of a general character under the appointment of the General Assembly for that purpose, by the section two of act No. 95 of the regular session of 1870, approved March 16, 1870.

An act to amend an act entitled an act incorporating the Southeastern Railroad Company, approved March 15, 1855, and granting aid thereto.

And an act entitled an act to amend an act to regulate public education in the State of Louisiana and city of New Orleans, and to raise a revenue for that purpose, approved March 16, 1870.

WILLIAM VIGERS,
Chief Clerk.

MESSAGE TO THE HOUSE.

The Secretary presented to the House for its consideration the following bills, viz:

Senate bill No. 35, for the relief W. Jasper Blackburn.

Senate bill No. 201, to amend and re-enact an act creating the Mississippi Packet Company, etc.

Substitute for Senate bill No. 122, to amend and re-enact section 2113 of the Revised Statutes of 1870.

PETITIONS AND MEMORIALS.

Mr. Thomas presented a remonstrance signed by the citizens of Bossier against the formation of the parish of Webster.

The President of the Senate presented a communication and petition from the Land Reform Association, which were read and referred to the Committee on Public Lands.

Mr. Fish presented a petition from the citizens of Carrollton, asking for the annexation thereof to the city of New Orleans.

On motion of Mr. Todd, the petition was laid on the table, subject to call.

REPORTS OF COMMITTEES.

Mr. Ray, from the Committee on Judiciary, submitted the following report:

COMMITTEE ON JUDICIARY,
New Orleans, February 23, 1871.

To the President and Senators of the Senate of Louisiana:

The Committee on Judiciary, to whom was referred Senate bills Nos. 44, 115 and 167, providing for the adoption by the State of a magistrates' manual, and proposing several books on that subject, direct me to report the same back to the Senate, and recommend that the said "bills," with the "manuals," be submitted to the Chief Justice, the Attorney General and the Judge of the Eighth District Court, for their inspection, with a request that the said committee examine the same and report the result of their inspection, and recommend to the General Assembly the best book for adoption.

JOHN RAY,
Chairman Judiciary Committee.

Laid over.

Mr. Lynch, from the Committee on Finance, reported favorably on Senate bill No. 236, to be entitled an act indorsing an ordinance of the Police Jury of Morehouse parish, relative to courthouse tax.

Laid over.

Mr. Herwig, from the Committee on Militia, submitted the following report:

COMMITTEE ON MILITIA,
New Orleans, February 23, 1871.

To the Honorable President and Members of the Senate:

This committee has the honor to return herewith Senate bill No. 161, with the following report:

We would recommend that the following amendment be made to section two, by striking out the words "the Christian" therein, and making this portion of the section read, "The chaplain so appointed must be a regularly ordained minister of religion."

Also, that the following addition be made to section five, inserting after the concluding word therein, "and also that the Governor, as commander-in-chief, shall have authority to order boards of officers, to consist of three or more officers of experience, to examine and report upon the qualifications and efficiency of officers who may be reported as being incompetent, and may discontinue the commissions of such as may be reported unfit for service, and fill vacancies that may be caused by this action, according to the rules and regulations that may be established under the militia law of the State."

Also, that the following addition be made to section 4, inserting after the concluding word therein: "That the commanding officers of the First, Second, Third and Fifth regiments of infantry, and the commanding officer of the regiment of field artillery, shall constitute a board, of which the Adjutant General of the State shall be ex officio chairman—which shall be known as the Military Board of the State of Louisiana; and that no purchase of arms or ammunition, nor any expenditure whatever, shall be made from the funds appropriated by the State for the militia, unless approved by a majority of the military board."

Also, that the following amendment be made to section six, by striking out the words "two hundred" before the words "thousand dollars," and inserting therein the words "seventy-five," making it read "seventy-five thousand dollars," and inserting therein, after the word "act," the following: "Provided, That in case of emergency, insurrection, invasion, or other imminent danger, a further sum of one hundred and twenty-five thousand dollars is hereby appropriated out of any funds in the treasury not otherwise appropriated, to provide for the public safety, or so much thereof as may be deemed necessary therefor by the Governor," and after the word "provided," occurring in said section, the word "further."

The bill, amended as above, meets with the approval of this committee, and we would respectfully recommend its passage, as amended, and would submit, further, in connection with our report, a communication received by this committee from field officers of several militia organizations, which is hereunto attached, marked document A, and made a part of this report.

P. F. HERWIG,
Chairman;
PATRICK O'HARA,
SAMUEL S. BOWMAN.

DOCUMENT A.

HEADQUARTERS LOUISIANA FIELD ARTILLERY,
New Orleans, February 21, 1871.

To Hon. P. F. Herwig, Chairman of the Committee on Militia, Senate of the State of Louisiana:

SIR—We would repectfully request that the committee, of which you are chairman, report favorably on the militia bill now before you.

The amount of two hundred thousand dollars, in our opinion, is not too much, as most of this appropriation will be expended in purchasing improved arms. The artillery is unprovided with its proper arms, and we should have, in this important branch of our service, at least eight Gatlin, six twelve-pounders, eight Napoleons and six ten-pounder Parrott guns. The infantry should be armed with the Remington rifle, an arm superior to any now in use.

Every citizen of this State with whom we have conversed upon this subject, is of the opinion that the General Assembly should make liberal provision for the militia, and encourage us in keeping up our organization.

JAMES LEWIS,
Colonel Second Regiment Louisiana State Militia.
CHARLES N. SQUIRES,
Colonel Commanding Regiment Field Artillery, Louisiana State Militia.
W. M. OWEN,
Colonel Commanding First Infantry.
E. B. BRIGGS,
Major First Infantry.
JAMES H. INGRAHAM,
Colonel Commanding Third Regiment Infantry, Louisiana State Militia.

Mr. Pinchback, from the Committee on Enrollment, submitted the following reports:

COMMITTEE ON ENROLLMENT,
New Orleans, February 23, 1871.

To the Honorable President and Members of the Senate:

GENTLEMEN—Your Committee on Enrollment beg respectfully to report as duly enrolled the following bills:

Senate bill No. 21, an act to locate the seat of justice and courthouse in and for the parish of Plaquemines, and to repeal certain acts therein named.

Senate bill No. 91, an act to amend and re-enact an act entitled an act to incorporate Harmony Fire Company No. 1, of the town of Franklin, parish of St. Mary, approved February 28, 1856.

Senate bill No. 55, an act to incorporate the Young Veterans 1862-65 Benevolent and Mutual Aid Association of New Orleans.

Senate bill No. 38, an act to authorize Mrs. Louisa Bourgeois, wife of Thomas Taquira, to mortgage or alienate her dotal property.

Substitute for Senate bill No. 63, an act to provide for the drainage of New Orleans.

Senate joint resolution No. 12, granting leave of absence to Thomas Reber, Parish Judge of the parish of Concordia, Louisiana.

P. B. S. PINCHBACK,
Chairman.

COMMITTEE ON ENROLLMENT,
New Orleans, February 21, 1871.

To the Honorable President and Members of the Senate:

GENTLEMEN—Your Committee on Enrollment beg respectfully to report as duly enrolled the following bills:

Senate bill No. 46, an act for the relief of the University of Louisiana, to repair the west wing of the university, and to preserve the public property therein.

Senate bill No. 134, an act making appropriation to pay Simeon Belden, Attorney General, for collection of State taxes in the parishes of Orleans and Jefferson.

Senate bill No. 140, an act to authorize Ambrose Lecomte Hertzog to assume the name of Ambrose Hertzog Lecomte.

Senate bill No. 65, an act to authorize the change of the name of Louisa Parmly Word to Louisiana Parmly Campbell.

Senate bill No. 89, an act giving consent of the General Assembly of the State of Louisiana to the purchase by the United States of land within this State for public purposes.

Senate bill No. 90, an act to provide for the relinquishment to the United States, in certain cases, of title to lands for sites of light stations on the coasts and waters of this State.

P. B. S. PINCHBACK,
Chairman Enrolling Committee.

COMMITTEE ON ENROLLMENT,
New Orleans, February 23, 1871.

To the Honorable President and Members of the Senate:

GENTLEMEN—Your Committee on Enrollment beg respectfully to report, as being duly enrolled, the following Senate bills:

Substitute for Senate bill No. 31, an act providing for the improvement of the navigation of Bayous d'Arbonne and Cornie, and making an appropriation therefor.

Senate bill No. 2, an act to secure homesteads to actual settlers on the public lands of the State.

Senate bill No. 67, an act for the relief of F. G. Llorens.

P. B. S. PINCHBACK,
Chairman Committee on Enrollment.

Mr. Hunsaker, from the Committee on Public Lands, submitted the following report:

COMMITTEE ON PUBLIC LANDS,
New Orleans, February 23, 1871.

To the Honorable President and Members of the Senate:

I am directed by the Committee on Public Lands to return to the Senate bill No. 233, and to recommend its passage.

OSCAR F. HUNSAKER, Chairman.

Mr. Campbell, from the Committee on Railroads, reported favorably upon Senate bill No. 149, to be entitled an act to incorporate the New Orleans, Lafourche and Terrebonne Railroad Company, and to facilitate and expedite the construction of the same.

Laid over.

Mr. Twitchell, from the Committee on Elections, submitted the following report:

COMMITTEE ON ELECTIONS AND QUALIFICATIONS,
New Orleans, February 23, 1871.

To the Honorable President and Members of the Senate:

GENTLEMEN—Your Committee on Elections and Qualifications have the honor to report that, upon a careful examination of the evidence submitted to them in the case of J. H. H. Camp, contestant, versus Edward Butler, together with the evidence before the House committee bearing on the same case, they are of the opinion that the case does not warrant further investigation, and would respectfully recommend that Edward Butler, the present sitting member, be continued in his seat.

M. H. TWITCHELL,
Chairman.

By unanimous consent, the report of the committee was taken up, and adopted.

Mr. Pinchback moved to reconsider the vote by which the report was adopted.

Mr. Hunsaker moved to lay the motion to reconsider on the table, which was adopted.

Mr. Lewis, from the Committee on Corporations, reported favorably on Senate bill No. 235 to be entitled an act to incorporate the town of Waterproof, in the parish of Tensas.

By unanimous consent the bill was taken up.

In section four the first blank was filled by inserting the words "first Monday in June;" the second blank was filled by inserting the words "such place as may be designated by the magistrate presiding."

On motion of Mr. Whitney the amendment was adopted, the section was then adopted as amended.

The bill was considered engrossed.

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

Mr. Sypher, from the Committee on Drainage, Lands and Inland Navigation, reported favorably upon Senate bill No. 231, to be entitled an act making an appropriation to close Kimball's bayou, in Concordia parish.

Laid over.

Mr. Anderson, from the Committee on Charitable Institutions, submitted the following report, which was ordered printed in the journal:

To the President and Members of the Senate:

Your Committee on Charitable Institutions respectfully submit the following report on the condition of the asylum for the insane at Jackson, Louisiana.

The location of this important institution is remote from the great routes of travel. This adds very greatly to the expense of building and to the cost of subsistence, while it prevents the Board of Administrators from procuring many comforts for patients. At that place it is almost impossible to obtain a full supply of many articles needed for the health of the inmates of an asylum whose successful treatment depends greatly upon a wholesome, generous and varied diet. This can not be procured at so great a distance from market except at an enormous expense, wholly out of proportion with the usual annual allowance. While, therefore, the management has been humane and efficient, the results are not satisfactory to the Superintendent, to the Board of Administrators and to your committee.

Nearly two hundred patients were under treatment during the year 1870, yet only nine were discharged as recovered, and two as improved. This is owing, in part, to the condition in which patients are brought, being mostly cases of long duration. If the asylum was of easy access, properly supplied, attractive by its appearance and comforts, and in all respects what such an institution ought to be, patients would be sent in an earlier stage of their malady, and before their cases became chronic.

A good asylum for the insane should combine a well equiped hospital with a comfortable home. The demand upon the State for charities are now quite numerous, involving heavy expenses, but there are no classes of the unfortunate who appeal to sympathy and philanthropy for better cause than those whose loss of health is joined with a loss of mental and moral faculties. They are far away from us, but they should not, therefore, be forgotten. They are neither related nor known to us, but they are our kindred by the ties of humanity; nor can we escape from the responsibility which their residence within the State imposes upon us.

Whenever kindness, scientific skill, judicious treatment, perseverance and vigilance can rekindle the light of waning reason, and restore the unfortunate to usefulness, it is the highest exhibition of philanthropy. Our State Asylum for the Insane is intended to do, on a large scale and with the methods taught by experience, these acts of charity toward the afflicted. It represents the embodied philanthropy of Louisiana, and an intelligent stranger to our laws and people would draw from it a proper inference as to our character for benevolence. If there are in other States improved methods of treatment and management, the means necessary to their adoption ought to be provided.

In view of the urgent necessities of the asylum, your committee recommend such an appropriation as will admit of some needed repairs and extension of buildings, the introduction of warming apparatus, bathrooms, fire engine, music, implements for recreation, books, dining-room, kitchen, bakery, etc. While voting an appropriation it will be well to provide against the loss of $14,000, incurred by discounts on State warrants last year. In order to carry out the objects above mentioned, your committee recommend that the sum of _____ be appropriated for the use of the Asylum for the Insane at Jackson, Louisiana.

THOMAS C. ANDERSON,
SAMUEL S. BOWMAN,
S. M. THOMAS,
J. B. LEWIS,
L. B. JENKS.

Mr. Harris, from the Committee on Engrossment, reported the following bills as being duly engrossed:

Senate bill No. 62, to be entitled an act to amend and re-enact an act entitled "an act to reorganize the State Land Office, and to provide for the disposition of public lands and for the survey of unsurveyed approved swamp lands, and to make appropriation therefor.

Also, substitute for Senate bill No. 215, to be entitled an act to establish an institute for the deaf and dumb at Baton Rouge, etc.

NOTICES OF BILLS.

By Mr. Ray:

Of a bill to be entitled an act for the relief of Harrison & Daral.

By Mr. Anderson:

Of a bill to be entitled an act for the relief of the Centennary College of Louisiana.

By Mr. Ingraham:

Of an act to be entitled an act to authorize the city of New Orleans to contract for the building of a shell road on Frenchmen street, to allow toll to be collected thereon for fifteen years.

INTRODUCTION OF BILLS.

The following bills were introduced, according to previous notice:

By Mr. Wilcox:

An act to be entitled an act to relieve the tax-payers of the State, and make State warrants receivable for State licenses and the State tax of four mills on the dollar.

Passed its first reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill put on its second reading, and referred to the Committee on Finance.

By Mr. Pierce:

Of a bill to be entitled an act to provide for the adjustment and settlement of Metropolitan Police claims and assessments.

Passed its first reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill put on its second reading, and referred to the Committee on Finance and ordered printed.

By Mr. Daigle:

A bill to be entitled an act to place the Franklin College at Opelousas, Louisiana, under the control of the State Board of Education, for the purpose of establishing a normal school therein, and the appropriation of moneys for its repair and the liquidation of claims against said college.

Passed its first reading.

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

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

The following bills were introduced by unanimous consent:

By Mr. Ingraham:

A bill to be entitled an act to authorize the correction of assessments against, and the settlement of back taxes due, Asa F. Cockran and Edmund P. Tilleston, of Boston, Massachusetts.

Passed its first reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, the bill put on its second reading, and referred to the Committee on Judiciary.

By Mr. Ray:

A bill to be entitled an act to extend the commission under acts to provide pensions for the veterans for 1814 and 1815.

Passed its first reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, and the bill put upon its second reading, and ordered printed.

RESOLUTIONS.

By Mr. O'Hara:

Resolved, That Thursday and Friday evenings are hereby set apart for the consideration of bills of a local character, to take effect this evening, and to the close of the present session.

Laid over.

BILLS CALLED UP BY UNANIMOUS CONSENT.

By Mr. Barber:

House bill No. 213, to be entitled an act to regulate the mode of trying cases arising under the provisions of article thirteen of the constitution of Louisiana, or under any acts of the Legislature to enforce the said article thirteen of the said constitution, and to regulate the licenses therein mentioned.

Passed its first reading.

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

The constitutional rule was further suspended by a four-fifths affirmative vote, the bill put on its third reading, and finally adopted on a call of the yeas and nays by the following vote:

Yeas: Anderson, Antoine, Barber, Butler, Coupland, Fish, Harris, Herwig, Hunsaker, Ingraham, Kelso, Lynch, McMillen, Noland, O'Hara, Pinchback, Ragan, Swords, Sypher, Twitchell, Whitney, Wilcox—22.

Nays: Blackman, Bowman, Daigle, Futch, Thomas, Thompson—6.

The title was adopted.

The time having arrived to take up the order of the day, Mr. Barber moved the order of the day be postponed until two o'clock.

Adopted.

By Mr. Lynch:

Senate joint resolution abolishing the office of Warrant Clerk of the two Houses of the General Assembly; requiring the present Warrant Clerk to make immediate settlement with the Committees on Contingent Expenses, and providing for the manner of drawing and expending the appropriation for defraying the expenses of the General Assembly.

Passed its first reading.

The constitutional rule was then suspended by a four-fifths affirmative vote, the joint resolution put on its second reading, and considered engrossed.

The constitutional rule was further suspended by a four-fifths affirmative vote, the resolution read its third and last time, and finally adopted by the following vote:

Yeas: Anderson, Barber, Bowman, Butler, Coupland, Fish, Futch, Harris, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lynch, McMillen, Noland, Ragan, Swords, Thomas, Twitchell, Wilcox—21.

Nays: Blackman, Daigle, Gallup, Thompson—4.

The title was adopted.

REPORTS LYING OVER.

Mr. Hunsaker called up the report of the Committee on Elections in the case of Charles E. Merrill vs. Thomas H. Noland.

Mr. Smith moved that the evidence taken by the committee be printed and laid on the desks of the members.

Mr. Harris moved to lay the motion on the table.

Adopted.

Mr. Hunsaker moved to adopt the report of the committee.

Adopted.

A motion was made to reconsider the motion by which the report of the committee was adopted, which motion was laid upon the table.

BILLS CALLED UP FROM SECOND READING FILE.

Mr. Ragan called up Senate bill No. 3, to be entitled an act granting corporate privileges to the inhabitants of the city of Baton Rouge, in the parish of East Baton Rouge, and to provide for the government of the affairs thereof, and to repeal an act entitled "an act to amend the several acts relative to the police and government of the city of Baton Rouge," approved April 2, 1853, and to repeal all acts amendatory thereto, and to repeal an act to provide for the government of the city of Baton Rouge, approved March 8, 1856, and to repeal all acts amendatory thereto.

On call of the yeas and nays the Senate decided to take up the bill by the following vote:

Yeas: Antoine, Barber, Butler, Campbell, Fish, Gallup, Herwig, Hunsaker, Ingraham, Jenks, Kelso, O'Hara, Pinchback, Ragan, Swords, Sypher, Twitchell, Whitney, Wilcox—19.

Nays: Blackman, Bowman, Coupland, Futch, Lynch, Smith, Thomas, Thompson—8.

Mr. Ragan moved to consider the bill section by section.

Adopted.

Section one was read.

Mr. Ragan moved to amend by striking out the words "at the mouth of Bayou Grape," and insert the words "one and one-quarter miles south of Bayou Grasse."

Adopted.

Mr. Ragan moved to strike out the word "south" and insert the word "north."

Adopted.

The section was then adopted as amended.

Mr. Futch moved the bill be indefinitely postponed.

Mr. Ragan moved to lay the motion to indefinitely postpone on the table.

On call of the yeas and nays the Senate adopted the motion to lay on the table by the following vote:

Yeas: Barber, Butler, Campbell, Gallup, Herwig, Hunsaker, Ingraham, Kelso, McMillen, O'Hara, Ragan, Swords, Sypher, Twitchell, Whitney, Wilcox—16.

Nays: Coupland, Fish, Futch, Thomas, Thompson, Todd—6.

Mr. Thomas moved to take a recess till 7 P. M.

On a call of the yeas and nays the Senate refused to take a recess by the following vote:

Yeas: Coupland, Daigle, Futch, Thomas, Thompson—5.

Nays: Barber, Campbell, Fish, Gallup, Harris, Herwig, Hunsaker, Ingraham, Kelso, McMillen, Noland, O'Hara, Pinchback, Ragan, Swords, Sypher, Todd, Twitchell, Whitney, Wilcox—20.

[Mr. Coupland in the chair.]

Mr. Campbell moved to adopt the bill as a whole.

Mr. Thompson moved to lay the motion to adopt on the table.

On call of the yeas and nays the Senate refused to lay on the table the motion to adopt by the following vote:

Yeas: Coupland, Daigle, Futch, Lynch, Thomas, Thompson—6.

Nays: Barber, Fish, Gallup, Harris, Herwig, Hunsaker, Ingraham, Kelso, McMillen, Noland, O'Hara, Ragan, Swords, Sypher, Todd, Twitchell, Whitney, Wilcox—18.

Mr. Thompson called for executive session.

On the call being duly seconded the President ordered the chamber cleared of all persons except members.

Executive session having been raised, Mr. Pinchback moved to take a recess till seven o'clock P. M.

Adopted.

The Chair announced to the Senate that a recess had been ordered until seven o'clock P. M.

Evening Session.

The recess having expired, the Senate was called to order by the President, Hon. O. J. Dunn.

Present: Hon. O. J. Dunn, Lieutenant Governor and President of the Senate; Messrs. Anderson, Antoine, Barber, Blackman, Bowman, Butler, Campbell, Coupland, Daigle, Futch, Gallup, Harris, Herwig, Hunsaker, Ingraham, Jenks, Kelso, Lewis, Lynch, Noland, O'Hara, Pierce, Pinchback, Ragan, Ray, Smith, Swords, Sypher, Thomas, Thompson, Twitchell, Todd, Whitney, Wilcox—35.

MESSAGE FROM THE HOUSE.

To the President and Members of Senate:

GENTLEMEN—I am directed to ask the concurrence of the Senate in the following House bills, viz.:

House bill No. 65, an act to establish an hospital for small pox, etc.

House bill No. 270, an act to incorporate the Crescent City Waterworks, etc.

Respectfully,
WILLIAM VIGERS,
Chief Clerk.

REPORTS OF COMMITTEES.

COMMITTEE ON ENROLLMENT,
New Orleans, February 25, 1871.

To the Honorable President and Members of the Senate:

GENTLEMEN—Your Committee on Enrollment beg leave to report as having been duly enrolled, Senate bill No. 4, entitled an act for the relief of Norbert F. Scopini, etc.

Very respectfully,
P. B. S. PINCHBACK,
Chairman.

The consideration of Senate bill No. 3, charter of Baton Rouge, was then resumed.

Mr. Ragan moved to amend section two by striking out "1872" and inserting "1871."

Adopted.

Mr. Ragan also moved to strike out "1873" in line thirty-seven, and insert "1872."

Adopted.

The section was then adopted as amended.

Mr. Ragan moved to amend section five by striking out, in line four, the figures "1872" and inserting "1871;" also, in line twenty, strike out "1873" and insert "1872."

Adopted.

Section adopted as amended.

Mr. Ragan moved to amend section six by striking out, in line fifty-eight, the words "two thousand dollars" and insert the words "fifteen hundred dollars."

Adopted.

Section adopted as amended.

Mr. Ragan moved to strike out in line sixteen, section nine, the words "of fifteen hundred," and insert "twelve hundred."

Adopted.

The section was adopted as amended.

Mr. Ragan moved to reconsider the vote by which the first section was adopted.

The vote was reconsidered.

Mr. Ragan moved to amend the first section by striking out the words "and one-quarter" from the amendment made in said section.

Adopted.

The section was adopted as amended.

The motion of Mr. Campbell, to adopt the bill as a whole, was then called up.

On call of the yeas and nays on the motion to adopt as a whole the Senate adopted the bill by the following vote:

Yeas: Antoine, Barber, Butler, Harris, Herwig, Hunsaker, Ingraham, O'Hara, Ragan, Smith, Sypher, Twitchell, Wilcox—13.

Nays: Blackman, Coupland, Daigle, Futch, Gallup, Kelso, Lynch, Pierce, Thomas—9.

On motion of Mr. Ragan the bill was considered engrossed.

Mr. Ragan moved to suspend the rules to put the bill on its third reading.

On a call of the yeas and nays the Senate refused to suspend the constitutional rule by the following vote:

Yeas: Antoine, Barber, Butler, Campbell, Fish, Harris, Hunsaker, Ingraham, Jenks, Lewis, O'Hara, Ragan, Ray, Smith, Swords, Sypher, Todd, Twitchell—18.

Nays: Anderson, Blackman, Bowman, Coupland, Daigle, Futch, Gallup, Herwig, Lynch, Pierce, Thomas, Thompson, Wilcox—13.

Mr. Campbell rose to a question of privilege. He desired his vote to be recorded in the affirmative on the final passage of House bill No. 213, to be entitled an act to regulate the mode of trying cases under the provisions of article thirteen of the constitution, etc.

Mr. Ray desired his vote to be recorded in the affirmative on the same question.

Mr. Todd desired his vote to be recorded in the affirmative upon the same question.

Unanimous consent was given to the said Senators to so record their votes.

The Chair announced that the rule adopted by the Senate, allowing each Senator to call up one bill, was then in order.

The Secretary called the name of Mr. Anderson, who called up Senate bill No. 10, to be entitled an act to purchase five hundred copies each of the Revised Civil Code and the Revised Code of Practice of the State of Louisiana, edited by Albert Voorhies.

The bill was reported by the Committee on Judiciary, with the following amendments:

Section one, in line eleven, strike out "ten dollars" and insert "seven dollars and fifty cents."

Section one, in line twelve, strike out "fifteen" and insert "ten."

The amendments were read and adopted.

The bill was adopted as amended, and considered engrossed.

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.

The Secretary called the name of Mr. Antoine, who called up House bill No. 29, to be entitled an act to create the parish of Webster, and providing for the complete organization thereof.

Mr. Thomas moved that the bill be referred to the Committee on Parishes and Parish Boundaries.

Mr. Antoine moved to lay on the table the motion to refer.

On a call of the yeas and nays, the motion to table was adopted by the following vote:

Yeas: Anderson, Antoine, Bowman, Butler, Campbell, Coupland, Daigle, Futch, Gallup, Harris, Herwig, Hunsaker, Ingraham, Kelso, Lewis, Lynch, Noland, O'Hara, Pierce, Ragan, Ray, Smith, Swords, Todd, Twitchell, Whitney, Wilcox—27.

Nays: Barber, Blackman, Fish, Jenks, Thomas, Thompson—6.

Mr. Thomas offered the following amendment to House bill No. 29, to be added to the last section but one:

That it be left to a vote of the people in the territory in Bossier parish immediately interested, to determine whether or not they are willing to become incorporated in the proposed parish of Webster; that the Supervisor of Registration of Bossier parish shall proceed, on the first Monday of May, after proper notice, to hold said election, the expense of which, if against the proposed new parish, shall be paid by the parish of Bossier, and if in favor of the new parish, shall be paid by the parish of Webster when organized.

Mr. Antoine moved to lay the amendment on the table.

Adopted.

Mr. Ray moved to adopt the bill on second reading.

On call of the yeas and nays, the Senate adopted the bill by the following vote:

Yeas: Anderson, Antoine, Barber, Butler, Campbell, Coupland, Fish, Futch, Gallup, Harris, Hunsaker, Ingraham, Kelso, Lewis, Lynch, Noland, O'Hara, Pierce, Ragan, Ray, Swords, Sypher, Twitchell, Whitney, Wilcox—25.

Nays: Blackman, Bowman, Daigle, Jenks, Thomas, Thompson—6

On call of the yeas and nays, the constitutional rule was further suspended by a four-fifths affirmative vote, as follows:

Yeas: Anderson, Antoine, Barber, Bowman, Butler, Campbell, Coupland, Fish, Futch, Gallup, Harris, Herwig, Hunsaker, Ingraham, Kelso, Lewis, Lynch, Noland, O'Hara, Pierce, Ragan, Ray, Smith, Swords, Sypher, Thompson, Todd, Twitchell, Whitney, Wilcox—30.

Nays: Blackman, Daigle, Jenks, Thomas—4.

On call of the yeas and nays the bill was finally adopted by the following vote:

Yeas: Anderson, Antoine, Barber, Butler, Campbell, Coupland, Fish, Futch, Harris, Herwig, Hunsaker, Ingraham, Kelso, Lewis, Lynch, Noland, O'Hara, Pierce, Ragan, Ray, Smith, Swords, Sypher, Todd, Twitchell, Whitney, Wilcox—25.

Nays: Blackman, Bowman, Daigle, Jenks, Thomas, Thompson—6.

The title was adopted.

The Secretary then called the name of Mr. Blackman who called up Senate bill No. 129, a bill to be entitled an act to amend and re-enact sections five, six, eleven, twelve, thirteen, fourteen, twenty-one, twenty-two, twenty-eight, twenty-nine, thirty-five, thirty-six, thirty-nine; forty-one, fifty-three, fifty-nine, sixty, sixty-nine, seventy, seventy-one, seventy-three, eighty-two, and to repeal sections twenty-three, twenty-seven, fifty-one, fifty-two, fifty-four, fifty-five, fifty-seven, of an act entitled "an act to regulate the conduct and to maintain the freedom and purity of elections; to prescribe the mode of making, and designate the officers who shall make the returns thereof; to prevent fraud, violence, intimidation, riot, tumult, bribery or corruption at elections, or at any registration or revision of registration; to limit the powers and duties of the Sheriffs of the parishes of Orleans and Jefferson; to prescribe the powers and duties of the Board and officers of the Metropolitan Police in reference to elections; to prescribe the mode of entering on the rolls of the Senate and House of Representatives the names of members; to empower the Governor to preserve peace and order, to enforce the laws, and to declare martial law during registration and elections; to limit the powers and duties of the mayors of the cities of New Orleans and Jefferson with regard to elections; to prohibit district and parish judges from issuing certain writs to commissioners of election; to make an appropriation for the expenses of the next revision of the registration and of the next election, and to enforce article 103 of the constitution," approved March 16, 1870.

The yeas and nays were called on the motion to lay the bill on the table, which was adopted by the following vote:

Yeas: Antoine, Barber, Campbell, Fish, Gallup, Harris, Hunsaker, Ingraham, Jenks, Noland, O'Hara, Pierce, Ragan, Swords, Sypher, Thomas, Todd, Twitchell, Whitney, Wilcox—20.

Nays: Blackman, Bowman, Butler, Coupland, Daigle, Futch, Herwig, Kelso, Lewis, Lynch, Pinchback, Ray, Smith, Thompson—14.

The Secretary called the name of Mr. Bowman, who