

New Orleans Republican. OFFICIAL JOURNAL OF THE UNITED STATES OFFICIAL JOURNAL OF NEW ORLEANS

PROCEEDINGS OF THE SENATE SECOND SESSION OF THE SECOND GENERAL ASSEMBLY OF THE STATE OF LOUISIANA.

Fifteenth Day's Session. SENATE CHAMBER, Wednesday, January 17, 1872.

The Senate met pursuant to adjournment. Present—Hon. P. B. S. Pinchback, Lieutenant Governor and President of the Senate, and Messrs. Barber, Campbell, Gallup, Hunsaker, Jenks, Kelo, Lynch, Noland, Reagan, Twitchell—13.

The President announced that there was no quorum present. Mr. Gallup moved that the Senate adjourn until to-morrow at 12 M.

OFFICIAL JOURNAL OF THE HOUSE OF REPRESENTATIVES SECOND SESSION OF THE SECOND GENERAL ASSEMBLY OF THE STATE OF LOUISIANA.

SIXTEENTH DAY'S PROCEEDINGS. HOUSE OF REPRESENTATIVES, Wednesday, January 17, 1872.

The House met at twelve o'clock pursuant to adjournment. Speaker Brewster in the chair. The roll was called and the following members answered to their names:

Speaker Brewster, and Messrs. Abel, Barrett, Barrow, Blunt, Bentley, Bickham, Blunt, Bowen, Brown, Buckingham, Carr, Crawford, Darbonne, Davidson, Davis, Demas, Desires, Deslondes, Faulkner, Floyd, Fontenot, Gardner, Garskamp, Harper, Hempstead, Houston, Kincaid, Mahoney, Marie, Matthews, McCarty, McFarland, Moore, Morphy, Morris, Murray, Oug, Oplatka, Overton, Pond, Quinn, Raby, Riley, Ringgold, Sartin, Smith, Souer, Stamps, Stanton, Tonnour, Verrett, Washington (Assumption), Washington (Concordia), Worrall, York—56.

Prayer by the Chaplain. Upon motion of Mr. Ringold, of Orleans, the reading of the minutes was dispensed with, and the journal adopted.

Mr. Sartain, of Carroll, offered the following resolution, which lies over under the rules: Resolved, That in the interest of peace, order and law, the police and armed men be removed from the Mechanics' Institute and its approaches, that legislation may proceed without intimidation to members of the General Assembly, and that the House and Senate may, under the rules, regulate their own organization and action.

Mr. Faulkner, of Caldwell, offered the following memorial, which was referred to the Committee on Parochial Affairs: A memorial from the citizens of Jackson, Bienville, Claiborne and Union parishes, for the creation of the parish of Greenland.

Mr. Overton, of Ouachita, offered the following memorial, which was referred to the Committee on Claims: A memorial from Mrs. Sarah K. Nobles, presenting a claim for work done on the levee from the Machore de l'Ours along the east bank of the Ouachita river.

The Speaker announced that he had appointed the following named gentlemen on the committees on judiciary and parochial affairs: Judiciary Committee—T. G. Davidson, of Livingston, chairman; Peter Harper, of St. Charles; A. W. Faulkner, of Caldwell; J. P. Barrow, of East Feliciana; M. Carr, of De Soto; H. Mahoney, of Plaquemine; D. W. C. Brown, of Ascension.

Committee on Parochial Affairs—Raford Blunt, of Natchitoches, chairman; F. Marie, of Terrebonne; S. Marvin, of Catahoula; N. L. Pond, of East Feliciana; R. E. Gardner, of Jefferson; C. F. Houston, of East Feliciana; A. C. Bickham, of Washington; D. A. Cochrane, of Lafayette; George Washington, of Concordia.

Upon motion of Mr. Davidson, of Livingston, the resolution relative to the expulsion of members for refusing to attend the meetings of the House, lying on the table subject to call, was taken up and made the special order of the day for to-morrow at 1 P. M.

By unanimous consent of the House the following notices of bills were given: NOTICES OF BILLS. By Mr. Stamps, of Jefferson: A bill relative to the election of police jurors for the parish of Jefferson.

DEBATES IN THE HOUSE. WEDNESDAY, JANUARY 17, 1872.

After the Clerk had called the roll, Mr. Davidson asked a question: Mr. Speaker, I see in this morning's Times a card, which is so literally untrue that I am compelled to make a few remarks in reference to it. The following is the card: To the Honorable Speaker and Members of the House of Representatives.

The undersigned members of the Senate, who have for some time past been absent from their seats for reasons which will at a proper time be made public, represent to the members now in session at the State House that they cannot return to the discharge of their duty so long as the State House and its approaches are guarded by an armed militia, and that the police force, subject to the orders of the executive.

We hold that the two branches of the State government—in the executive and the legislative—department are separated and distinct and independent of each other, and any interference by the executive with the legislative department in surrounding it with an armed body, thereby preventing free ingress and egress to the members and citizens, is a usurpation of power unwarranted by the constitution and laws of this State.

We feel constrained, as the legislative department is a free people, to adopt this course, and refuse participation in or recognition of any act or measure which is revolutionary in its character, threatening, as it does, the safety of our constitutional government and republican liberty.

When these armed forces are removed, and until then, we will voluntarily quit the State House, your body and participate in its proceedings. W. F. Blackman, J. B. Lewis, John Ray, A. J. Sypker, S. M. Thomas, E. C. Soudard, P. F. Horwig, W. L. Thompson, C. C. Antoine, C. Wilcox, J. H. Ingraham, F. Daigle, S. M. Todd, J. Morrison, Smith, P. O'Hara.

Now, sir, this is a falsehood from beginning to end. The Times says that it is signed by sixteen Democrats. That is also false. It is signed by five Democrats and eleven Republicans. This card is a gross insult to the members who have signed this article as afraid to come here; and that they will not be intimidated by a bunch of scoundrels.

Now, sir, I ask you inquired that you will receive a just and thorough investigation. Mr. Davidson—I hope the gentleman will withdraw his amendment. I am charged with receiving warrants that are issued to the members of this House that this committee should be appointed to thoroughly investigate and report back to the House.

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Now, sir, I wish to call the special attention of this House to one important fact. We have two parties in this House. We have the persons who received the warrants—the other party who have issued them. And now, sir, to pass this thing without an appropriation, would simply be repudiating the warrants.

Now, sir, I want to call the attention of the House to the fact that I have never attempted to sell it, nor will I sell it, and I will not receive the price of it at any time. Yet I am not in favor of repudiation. I do not think that we should make innocent persons suffer for the unjust deeds of others; and innocent persons and just deeds of others, and innocent persons and just deeds of others, and innocent persons and just deeds of others.

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LAWS OF THE STATE OF LOUISIANA. PUBLISHED BY AUTHORITY.

AN ACT. No. 108.

To authorize the city of New Orleans to construct or to cause to be constructed by contract or otherwise, a shell road, from Marigny canal to Lake Pontchartrain, and to authorize the collection of tolls for the use of the same, and to lease the said road with the privilege to collect toll therefrom.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in general assembly convened, That the Council of the city of New Orleans is hereby authorized and empowered to open and grade and to contract for the opening and grading of Frenchmen street, from the intersection of said street and Marigny canal to Lake Pontchartrain, or to open an extended street, or to open an extended street, or to open an extended street, or to open an extended street.

SECTION 2. Be it further enacted, etc., That the Council of the city of New Orleans shall have the right to lease the said road with its toll-gates and appurtenances, and the right to collect toll therefrom, for a term not to exceed ten years, and upon such terms and conditions as the Council of said city may see right and proper; provided, that said street, with all rights and privileges, shall revert to the city after the expiration of said term.

SECTION 3. Be it further enacted, etc., That this act shall take effect from and after its passage. GEO. W. CARTER, Speaker of the House of Representatives. (Signed) OSCAR J. DUNN, Lieutenant Governor and President of the Senate.

Received in the office of Secretary of State, January 13, 1872. NOTE BY THE SECRETARY OF STATE.—The foregoing act having been presented to the Governor of the State of Louisiana for his approval, and having been returned by him to the House of the General Assembly in which it originated within the time prescribed by the constitution of the State of Louisiana, has become a law without his approval.

AN ACT. No. 109. To amend and re-enact an act entitled "An act for the relief of purchasers of sixteenth section lands in the parish of Breauz Bridge, in the parish of St. Martin, and to regulate the same."

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in general assembly convened, That the act of the Legislature of Louisiana, entitled an act for the relief of purchasers of sixteenth sections, approved the thirtieth day of March, one thousand eight hundred and sixty-six, and re-enacted so as to read as follows: "In all cases of the sale of the school lands known as sixteenth sections heretofore made, where the purchase money has not been paid, the purchaser or purchasers shall have the right to annul the sale upon application to the district or parish courts of the parish wherein the land is situated, according to the provisions of the act provided, the judgment of nullity shall be obtained at the cost of the applicant, and contradictorily with the district attorney, in conjunction with the board of school directors of the parish wherein the land is situated, who shall be made a party defendant in such suit; provided also, that it shall appear upon their hearing that the value of the land has been depreciated by any act of the purchaser; and provided further, that nothing in this act shall be construed so as to entitle the said purchaser to repayment of any part of the purchase money already paid."

SECTION 2. Be it further enacted, etc., That all purchasers of lands, known as the sixteenth sections, in the State of Louisiana, who have not paid the purchase money, shall have the right to annul the sale upon application to the district or parish courts of the parish wherein the land is situated, according to the provisions of the act provided, the judgment of nullity shall be obtained at the cost of the applicant, and contradictorily with the district attorney, in conjunction with the board of school directors of the parish wherein the land is situated, who shall be made a party defendant in such suit; provided also, that it shall appear upon their hearing that the value of the land has been depreciated by any act of the purchaser; and provided further, that nothing in this act shall be construed so as to entitle the said purchaser to repayment of any part of the purchase money already paid.

SECTION 3. Be it further enacted, etc., That this act shall take effect from and after its passage, and that all laws or parts of laws inconsistent herewith be and the same are hereby repealed. GEO. W. CARTER, Speaker of the House of Representatives. (Signed) OSCAR J. DUNN, Lieutenant Governor and President of the Senate.

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AN ACT. No. 110. Amending an act to incorporate the town of Breauz Bridge, in the parish of St. Martin, and to regulate the same. SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in general assembly convened, That the inhabitants of Breauz Bridge, in the parish of St. Martin, be and are hereby created and made a body corporate under the name and style of town of Breauz Bridge, in the parish of St. Martin, and to regulate the same.

SECTION 2. Be it further enacted, etc., That the town of Breauz Bridge shall be divided into two wards, the first comprising all that part east of the bayou, and the second comprising all that part west of the bayou, and it shall be the duty of the mayor and selectmen, as often as need, to divide the said corporate limits into as many wards as they may deem proper, and to elect a mayor and selectmen, and to elect a mayor and selectmen, and to elect a mayor and selectmen, and to elect a mayor and selectmen.

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LAWS OF THE UNITED STATES. Passed at the First Session of the Fortieth Congress.

[GENERAL NATURE—No. 9.] AN ACT making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, one thousand eight hundred and seventy-one, and for additional appropriations for the same.

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to carry out the provisions of an act entitled "An act granting pensions to certain soldiers and sailors of the war of 1812," approved March twenty-third, one thousand eight hundred and twenty-two, and all persons refusing to abide by this order to that effect shall be punished by fine not exceeding ten dollars, or by imprisonment for a period not exceeding thirty days.

SECTION 2. Be it further enacted, etc., That the duties of the other selectmen shall be as follows: The controller, who shall be a member of the corporation, shall prescribe the mode and form of keeping the corporation books and accounts in every department in conformity with the provisions of the act; the superintendent of the fire shall superintend the organization against fire.

SECTION 3. Be it further enacted, etc., That the council shall appoint and nominate one or more persons to be the assessors of the corporation, and one town constable, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation; he shall keep a full set of books, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation.

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SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to carry out the provisions of an act entitled "An act granting pensions to certain soldiers and sailors of the war of 1812," approved March twenty-third, one thousand eight hundred and twenty-two, and all persons refusing to abide by this order to that effect shall be punished by fine not exceeding ten dollars, or by imprisonment for a period not exceeding thirty days.

SECTION 2. Be it further enacted, etc., That the duties of the other selectmen shall be as follows: The controller, who shall be a member of the corporation, shall prescribe the mode and form of keeping the corporation books and accounts in every department in conformity with the provisions of the act; the superintendent of the fire shall superintend the organization against fire.

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SECTION 7. Be it further enacted, etc., That the council shall appoint and nominate one or more persons to be the assessors of the corporation, and one town constable, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation; he shall keep a full set of books, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation.

SECTION 8. Be it further enacted, etc., That the council shall appoint and nominate one or more persons to be the assessors of the corporation, and one town constable, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation; he shall keep a full set of books, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation.

SECTION 9. Be it further enacted, etc., That the council shall appoint and nominate one or more persons to be the assessors of the corporation, and one town constable, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation; he shall keep a full set of books, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation.

SECTION 10. Be it further enacted, etc., That the council shall appoint and nominate one or more persons to be the assessors of the corporation, and one town constable, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation; he shall keep a full set of books, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation.

SECTION 11. Be it further enacted, etc., That the council shall appoint and nominate one or more persons to be the assessors of the corporation, and one town constable, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation; he shall keep a full set of books, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation.

SECTION 12. Be it further enacted, etc., That the council shall appoint and nominate one or more persons to be the assessors of the corporation, and one town constable, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation; he shall keep a full set of books, in which he shall record all the orders and judgments of the corporation, and the date of the enactment; he shall receive and file all documents belonging to the corporation.